City of Phoenix

Agenda
City Council Formal Meeting

Meeting Location:
City Council Chambers
200 W. Jefferson St.
Phoenix, Arizona 85003

Monday, July 3, 2023 **10:00 AM** **phoenix.gov**

OPTIONS TO ACCESS THIS MEETING

Virtual Request to speak at a meeting:

- Register online *by visiting the City Council Meetings page on phoenix.gov* ***at least 2 hours prior to the start of this meeting****. Then, click on this link at the time of the meeting and join the Webex to speak:* https://phoenixcitycouncil.webex.com/phoenixcitycouncil/onstage/g.php?MTID=e36acd42da6b6187caee8ebcd603414fc

- Register via telephone at 602-262-6001 **at least 2 hours prior to the start of this meeting,** noting the item number. Then, use the Call-in phone number and Meeting ID listed below at the time of the meeting to call-in and speak.

In-Person Requests to speak at a meeting:

- Register in person at a kiosk located at the City Council Chambers, 200 W. Jefferson St., Phoenix, Arizona, 85003. Arrive **1 hour prior to the start of this meeting**. Depending on seating availability, residents will attend and speak from the Upper Chambers, Lower Chambers or City Hall location.

- Individuals should arrive early, 1 hour prior to the start of the meeting to submit an in-person request to speak before the item is called. After the item is called, requests to speak for that item will not be accepted.

At the time of the meeting:

- Watch the meeting live streamed on phoenix.gov or Phoenix Channel 11 on Cox Cable, or using the Webex link provided above.

- Call-in to listen to the meeting. Dial 602-666-0783 and Enter Meeting ID 2550 219 6861# (for English) or 2557 888 8330# (for Spanish). Press # again when prompted for attendee ID.

- Watch the meeting in-person from the Upper Chambers, Lower Chambers or City Hall depending on seating availability.

Para nuestros residentes de habla hispana:

- Para registrarse para hablar en español, llame al 602-262-6001 **al menos 2 horas antes del inicio de esta reunión** e indique el número del tema. El día de la reunión, llame al 602-666-0783 e ingrese el número de identificación de la reunión 2557 888 8330#. El intérprete le indicará cuando sea su turno de hablar.

- Para solamente escuchar la reunión en español, llame a este mismo número el día de la reunión (602-666-0783; ingrese el número de identificación de la reunión 2557 888 8330#). Se proporciona interpretación simultánea para nuestros residentes durante todas las reuniones.

- Para asistir a la reunión en persona, vaya a las Cámaras del Concejo Municipal de Phoenix ubicadas en 200 W. Jefferson Street, Phoenix, AZ 85003. Llegue 1 hora antes del comienzo de la reunión. Si desea hablar, regístrese electrónicamente en uno de los quioscos, antes de que comience el tema. Una vez que se comience a discutir el tema, no se aceptarán nuevas solicitudes para hablar. Dependiendo de cuantos asientos haya disponibles, usted podría ser sentado en la parte superior de las cámaras, en el piso de abajo de las cámaras, o en el edificio municipal.

CALL TO ORDER AND ROLL CALL

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REPORTS FROM CITY MANAGER, COMMITTEES OR CITY OFFICIALS

000 CITIZEN COMMENTS

ADJOURN

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 1

Mayor and Council Appointments to Boards and Commissions

Summary

This item transmits recommendations from the Mayor and Council for appointment or reappointment to City Boards and Commissions.

Responsible Department

This item is submitted by the Mayor's Office.

ATTACHMENT A

City of Phoenix

To: City Council **Date:** July 3, 2023

From: Mayor Kate Gallego

Subject: BOARDS AND COMMISSIONS – APPOINTEES

The purpose of this memo is to provide recommendations for appointments to the following Boards and Commissions:

Central City Village Planning Committee

Vice Mayor Yassamin Ansari recommends the following for appointment:

Faith Burton
Ms. Burton is the Creative Projects Manager at Reliance Management and a resident of District 7. She replaces Wayne Rainey for a partial term to expire November 19, 2023.

Citizens Transportation Commission

I recommend the following for appointment:

Elizabeth Perez-Pawloski
Ms. Perez-Pawloski is the Political Director of the Arizona Education Association. She replaces Gail Knight as the Education representative for a term to expire June 30, 2026.

David Steinmetz
Mr. Steinmetz is the Public Policy Manager for Arizona Industries for the Blind. He replaces Phil Pangrazio as the Disability Community representative for a term to expire June 30, 2026.

Deer Valley Village Planning Committee

Councilwoman Ann O'Brien recommends the following for appointment:

Braden Biggs
Mr. Biggs is the Community Engagement Coordinator for Lutheran Social Services of the Southwest and a resident of District 1. He fills a vacancy for a term to expire November 19, 2023.

Design Review Committee

The Planning Commission recommends the following for appointment:

Ryan Boyd
Mr. Boyd is a Legislative Liaison for the Arizona Association of Counties. He replaces Nico Howard as the Planning Commission representative for a term to expire July 3, 2025.

Human Services Commission

I recommend the following for reappointment:

Laura Bulluck
Ms. Bulluck will serve a second term to expire June 30, 2025.

Tamala McBath
Ms. McBath will serve a second term to expire June 30, 2025.

Library Advisory Board

I recommend the following for appointment:

Dianne Post
Ms. Post is a lawyer and a resident of District 8. She fills a vacancy for a term to expire July 3, 2026.

North Mountain Village Planning Committee

Councilwoman Debra Stark recommends the following for appointment:

Shane Gore
Mr. Gore is a Manager at Waterfall Specialist Inc. and a resident of District 3. He fills a vacancy for a partial term to expire November 19, 2023.

Phoenix Business and Workforce Development Board

I recommend the following for reappointment:

Daniel Barajas
Mr. Barajas will serve his second term to expire June 30, 2026.

Steven Cramer
Mr. Cramer will serve his second term to expire June 30, 2026.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 2

Liquor License - Salt Tacos Y Tequila

Request for a liquor license. Arizona State License Application 245822.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
2450 W. Happy Valley Road, Ste. 1143
Zoning Classification: C-2 M-R PCD
Council District: 1

This request is for a new liquor license for a restaurant. This location is currently licensed for liquor sales and does not have a interim permit.

The 60-day limit for processing this application is July 17, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"We have held several liquor licenses in Arizona and proven to be very responsible operators. We are aware of the responsibility as an owner/operator towards the safety and well being of our customers. All of our staff will go through basic title 4 training."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like the ability to serve our patrons of legal drinking age, an adult beverage with their meal if they choose to have one."

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Salt Tacos Y Tequila
Liquor License Map - Salt Tacos Y Tequila

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: SALT TACOS Y TEQUILA

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	0
Bar	6	1	1
Beer and Wine Bar	7	3	2
Liquor Store	9	4	2
Beer and Wine Store	10	4	3
Hotel	11	2	0
Restaurant	12	21	20

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.01	54.96	150.31
Violent Crimes	11.51	3.02	6.58

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

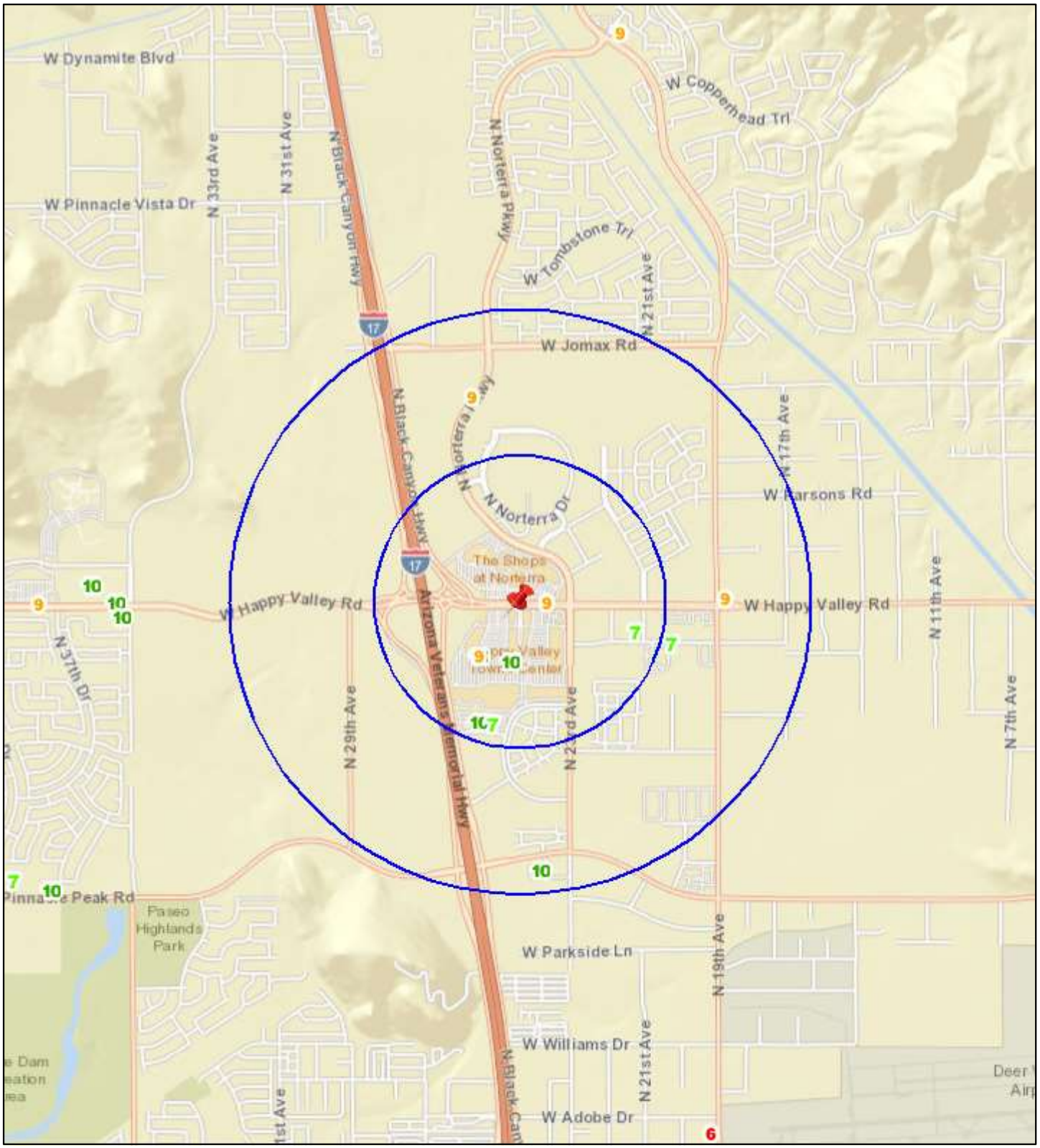
Description	Average	1/2 Mile Average
Parcels w/Violations	50	3
Total Violations	87	5

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6119001	1639	93	5	0
6123001	2199	54	6	5
Average	0	61	13	19

Liquor License Map: SALT TACOS Y TEQUILA

2450 W HAPPY VALLEY RD



N

Date: 5/25/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 3

Liquor License - Stop N Shop Mart

Request for a liquor license. Arizona State License Application 246816.

Summary

Applicant
Jalal Jabaieh, Agent

License Type
Series 10 - Beer and Wine Store

Location
3441 W. Cactus Road
Zoning Classification: C-1
Council District: 1

This request is for a new liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is July 24, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the

State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Quick Corner Liquor & Drive Through (Series 9)
1555 E. Baseline Road, Phoenix
Calls for police service: 2
Liquor license violations: None

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I hold a certificate for "The Basic Liquor Law Training" This training provided me the opportunity of learning the importance and significance of obtaining a beer and wine license. I am assured to uphold the laws and regulations about beer and wine license. I have never been involved in any criminal activity, no record of getting in trouble with law and authorities. I own liquor store in Phoenix."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This store will provide a safe and secure place for the neighborhood to buy beer and wine. The location will be convenient for the people in the neighborhood who may not have access to transportation. Adding the long time experience of the owning and running a store while upholding all the laws and regulations, the store will be safe, secure and convenience place for the customers to purchase quality beer and wine."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Stop N Shop Mart
Liquor License Map - Stop N Shop Mart

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: STOP N SHOP MART

Liquor License

Description	Series	1 Mile	1/2 Mile
Beer and Wine Bar	7	2	0
Liquor Store	9	4	1
Beer and Wine Store	10	5	2
Restaurant	12	5	1
Club	14	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.01	119.55	70.27
Violent Crimes	11.51	23.06	14.22

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

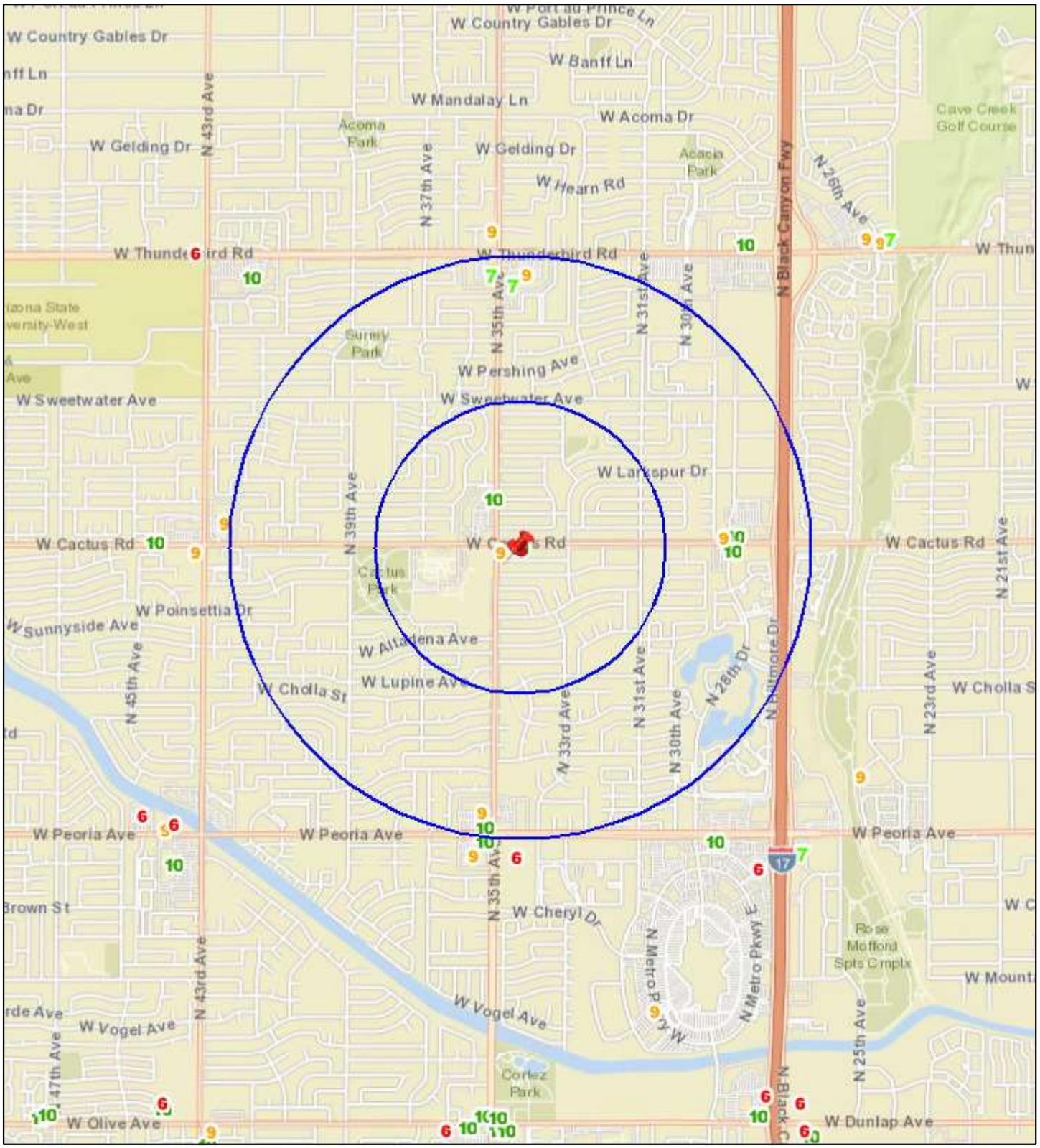
Description	Average	1/2 Mile Average
Parcels w/Violations	50	141
Total Violations	87	251

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1040001	1260	45	19	36
1040003	1994	97	0	11
1042031	1599	79	7	10
1042122	1606	75	22	4
1043011	1780	83	0	13
1043012	1726	87	14	17
1043022	1902	53	15	15
Average	0	61	13	19

Liquor License Map: STOP N SHOP MART

3441 W CACTUS RD



N

Date: 5/26/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 4

Liquor License - The Belair

Request for a liquor license. Arizona State License Application 247180.

Summary

Applicant
Keith Turner, Agent

License Type
Series 12 - Restaurant

Location
2827 E. Bell Road
Zoning Classification: C-2
Council District: 2

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is July 29, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Our prior experience and training, in addition to successfully completing Basic and Management Title 4 Liquor training. We have hired former DLLC Detective Keith Turner to assist in our application process and will be working with him for continued succdess."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"There was a previous business in this location which was of the same license type and business model. Our new business will be operated professionally and by the owners, therefor being able to better facilitate the highest quality of service and enforcement of the city and state laws and rules. This will be a full service restaurant."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - The Belair
Liquor License Map - The Belair

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: THE BELAIR

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	0
Bar	6	4	1
Beer and Wine Bar	7	2	1
Liquor Store	9	6	3
Beer and Wine Store	10	10	1
Restaurant	12	14	11

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.01	127.68	128.45
Violent Crimes	11.51	24.97	30.99

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

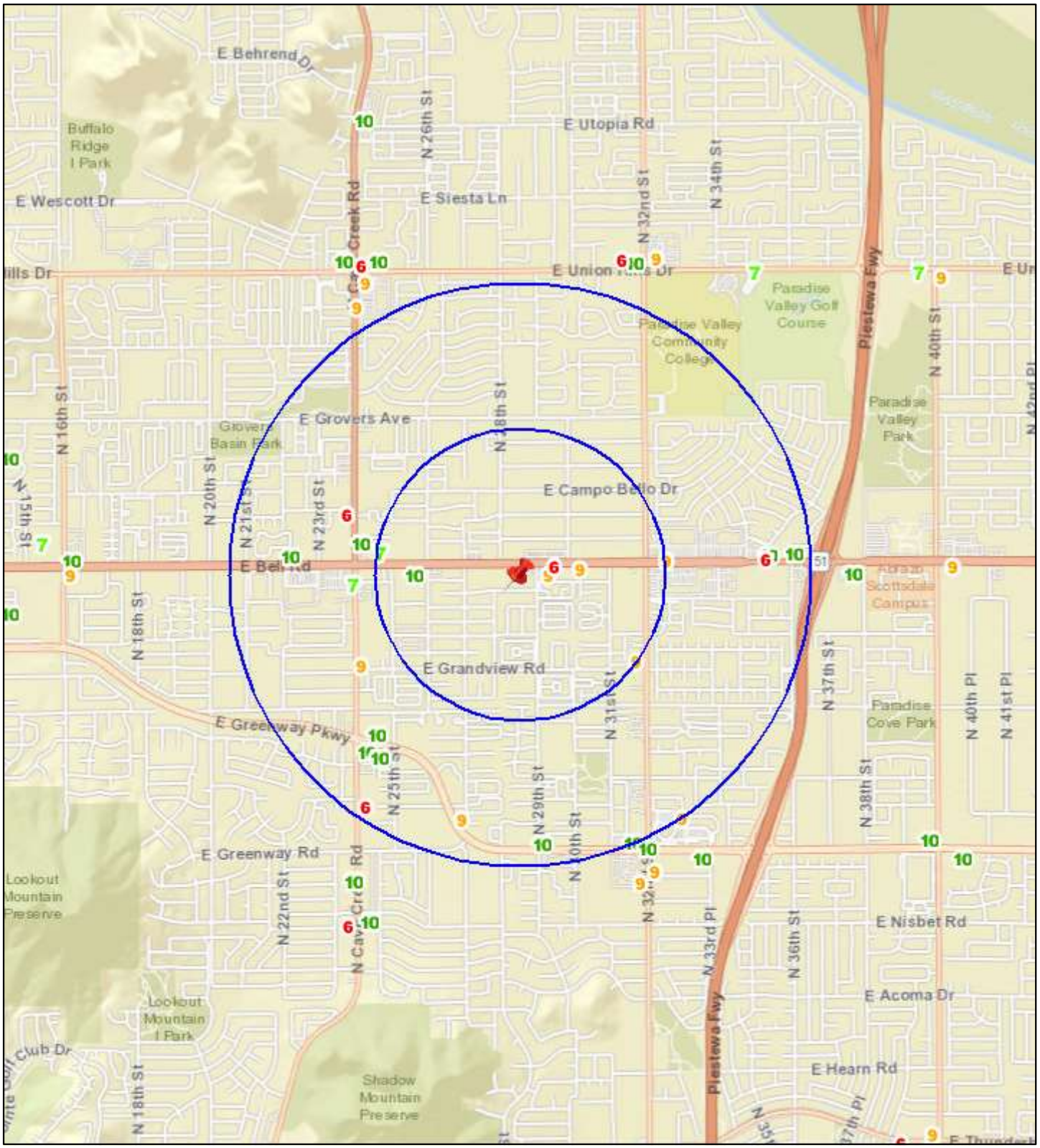
Description	Average	1/2 Mile Average
Parcels w/Violations	49	86
Total Violations	87	153

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1033032	1103	78	9	18
1033041	1926	47	13	34
1033042	1219	2	16	38
1033043	1952	26	28	48
1033051	1180	47	29	35
1033052	2333	59	9	30
1033062	2272	17	22	37
6195003	2362	65	14	8
6196001	2094	72	11	3
Average	0	61	13	19

Liquor License Map: THE BELAIR

2827 E BELL RD



N

Date: 5/31/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 5

Liquor License - Black Mountain Tavern

Request for a liquor license. Arizona State License Application 246763.

Summary

Applicant
Jared Repinski, Agent

License Type
Series 12 - Restaurant

Location
30855 N. Cave Creek Road, Ste. 138
Zoning Classification: C-2 PCD
Council District: 2

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is July 23, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I have been representing liquor licensed establishments in Arizona for over 15 years."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Tourism plays an important role in our local economy and liquor licensed establishments (the sale of alcohol) is a very important aspect of tourism. Therefore, if the City of Phoenix continues to lead the State of Arizona by approving quality and diverse businesses (restaurants, bars, microbreweries, distilleries, hotels, resorts, golf courses, special events, convenience / liquor / grocery stores and gas stations) similar to this proposed liquor licensed business, all businesses will prosper."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Black Mountain Tavern
Liquor License Map - Black Mountain Tavern

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: BLACK MOUNTAIN TAVERN

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	1
Bar	6	1	1
Beer and Wine Bar	7	2	1
Liquor Store	9	4	0
Beer and Wine Store	10	3	1
Restaurant	12	8	6
Craft Distiller	18	1	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.01	6.97	8.81
Violent Crimes	11.51	0.47	0.95

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

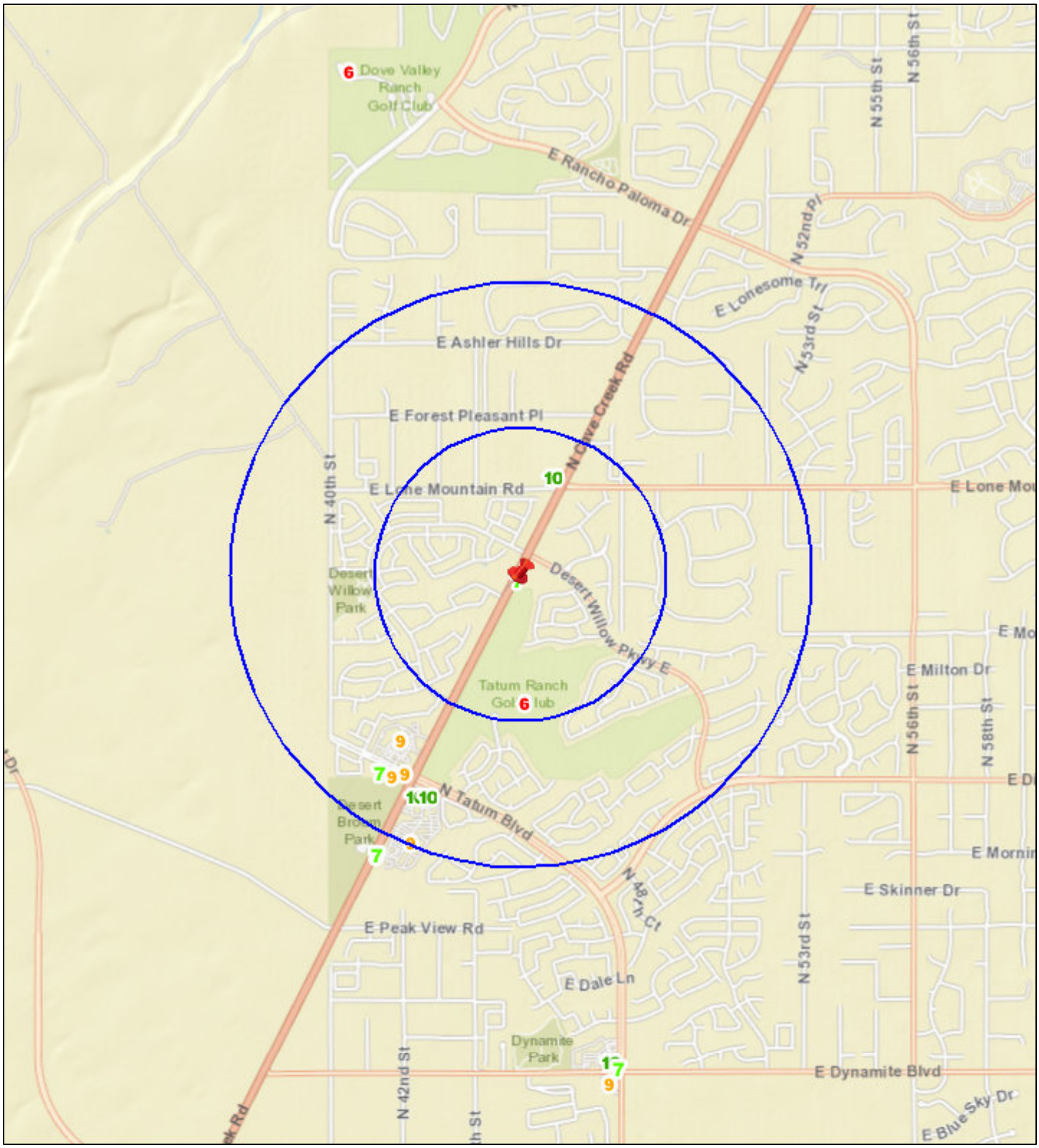
Description	Average	1/2 Mile Average
Parcels w/Violations	50	5
Total Violations	87	9

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6125001	1635	92	5	11
6126001	802	85	34	6
6126002	1050	94	23	3
6127001	1486	95	3	8
6127002	966	93	10	0
6130002	1447	94	3	0
Average	0	61	13	19

Liquor License Map: BLACK MOUNTAIN TAVERN

30855 N CAVE CREEK RD



N

Date: 5/26/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 6

Liquor License - Special Event - St. Francis Xavier Roman Catholic Parish Phoenix

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Anne Pierce

Location
4715 N. Central Ave.
Council District: 4

Function
School Fall Festival

Date(s) - Time(s) / Expected Attendance
Oct. 21, 2023 - 9 a.m. to 3 p.m / 700 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 7

Liquor License - Special Event - St. Francis Xavier Roman Catholic Parish Phoenix

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Anne Pierce

Location
4715 N. Central Ave.
Council District: 4

Function
School Dinner

Date(s) - Time(s) / Expected Attendance
Feb. 24, 2024 - 6 p.m. to 11 p.m. / 400 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 8

Liquor License - Special Event - Teamsters Local 104

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Dawn Schumann

Location
1202 W. Encanto Blvd.
Council District: 4

Function
Union Member Picnic

Date(s) - Time(s) / Expected Attendance
Nov. 4, 2023 - 11 a.m. to 5 p.m. / 2,500 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 9

Liquor License - EZ Groceries LLC

Request for a liquor license. Arizona State License Application 10076494.

Summary

Applicant
Meyerlin Herrera, Agent

License Type
Series 10 - Beer and Wine Store

Location
3440 W. Thomas Road, Ste. 2
Zoning Classification: C-2
Council District: 4

This request is for an acquisition of control of an existing liquor license for a convenience store that does not sell gas. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is July 22, 2023.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not to the location.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant’s Statement
The applicant submitted the following statement in support of this application. Spelling,

grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: “My 10 years of experience running EZ Groceries, LLC have providing me with the necessary capabilities, reliability and qualifications to hold a liquor license. I possess strong business management skills, a thoroughtt understanding of regulations, a commitment to responsible alclohol service, a focus on customer satisfaction, financial stability, and proven track record of reliability and work ethic. I am confident in my ability to manage and operate a licensed establishment effectively and responsibly.”

Staff Recommendation
Staff recommends approval of this application.

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 10

Liquor License - El Rey de Los Ostiones

Request for a liquor license. Arizona State License Application 010070001320.

Summary

Applicant
Genesis Hernandez, Agent

License Type
Series 10 - Beer and Wine Store

Location
4141 N. 35th Ave., Ste. 1
Zoning Classification: C-2
Council District: 4

This request is for an acquisition of control of an existing liquor license for a convenience market. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is July 10, 2023.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not to the location.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor licenses in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant’s Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the

applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
“I currently hold a liquor license series 10 at our seafood market and have not had any problems or issues. I always make sure all renewals are submitted on time and are always current.”

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 11

Liquor License - El Rey de Los Ostiones

Request for a liquor license. Arizona State License Application 245783.

Summary

Applicant
Genesis Hernandez, Agent

License Type
Series 12 - Restaurant

Location
4141 N. 35th Ave., Ste. 2 and 3
Zoning Classification: C-2
Council District: 4

This request is for a new liquor license for a restaurant. This location is not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is July 10, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations

on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

El Rey de Los Ostiones (Series 10)
4141 N. 35th Ave., Ste. 1, Phoenix
Calls for police service: 56
Liquor license violations: None

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I currently hold a liquor license series 10 at our seafood market and have not had any problems or issues. I always make sure all renewals are submitted on time and are always current."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The community will be better served by the issuance of a liquor license as there will a location where our community can ensure our staff will be safe, responsible and effective."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - El Rey de Los Ostiones
Liquor License Map - El Rey de Los Ostiones

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: EL REY DE LOS OSTIONES

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	3	2
Bar	6	4	2
Beer and Wine Bar	7	3	1
Liquor Store	9	4	1
Beer and Wine Store	10	16	6
Restaurant	12	5	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.78	176.77	212.63
Violent Crimes	11.66	58.89	79.08

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

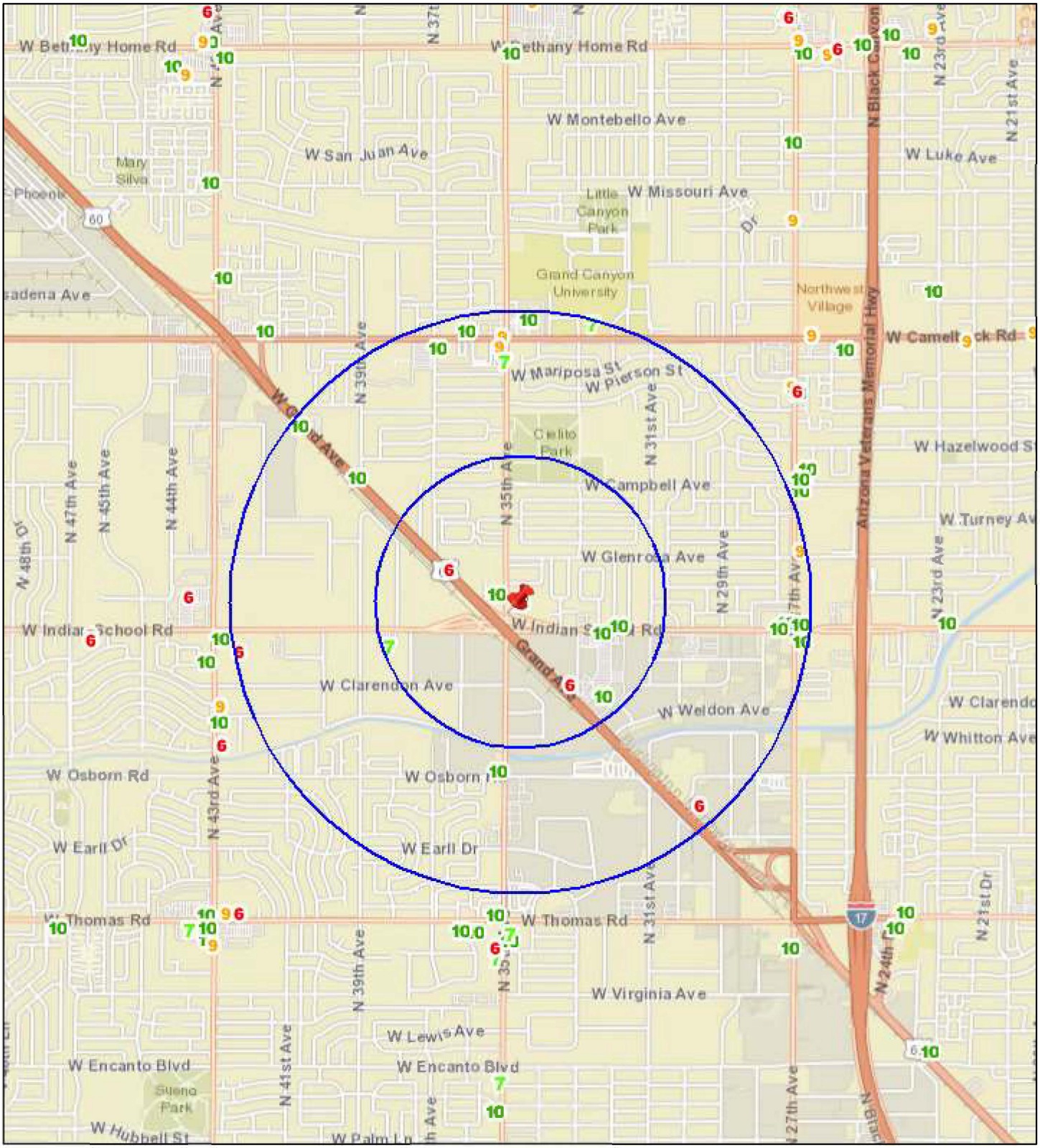
Description	Average	1/2 Mile Average
Parcels w/Violations	49	123
Total Violations	87	227

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1091011	1722	69	0	34
1091021	2115	47	14	46
1091022	2966	78	14	50
1091023	1085	28	19	21
1092001	1455	52	10	45
1092002	1665	36	30	46
1092003	1593	11	26	32
1101001	1919	16	15	58
1169001	2535	66	12	50
Average	0	61	13	19

Liquor License Map: EL REY DE LOS OSTIONES

4141 N 35TH AVENUE STE 2 AND 3



N

Date: 6/22/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 12

Liquor License - Copper & Sage Camelback

Request for a liquor license. Arizona State License Application 246081.

Summary

Applicant
Joseph Lucidi, Agent

License Type
Series 12 - Restaurant

Location
322 E. Camelback Road
Zoning Classification: C-2 WSNSPD
Council District: 4

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor dining and outdoor alcohol consumption. This business has plans to open in October 2023.

The 60-day limit for processing this application is July 15, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I have owned and operated 10 restaurants in the Valley. We currently hold 6 maricopa county liquor licenses. We have no violations, and no incedients at any of our locations."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We LOVE being part of every community we are in. We look forward to adding a great local restaurant where all can come and enjoy. We give back by sponsoring local community events, and do our best to serve the community with a top notch restaurant!"

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Copper & Sage Camelback
Liquor License Map - Copper & Sage Camelback

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: COPPER & SAGE CAMELBACK

Liquor License

Description	Series	1 Mile	1/2 Mile
Microbrewery	3	1	1
Bar	6	11	2
Beer and Wine Bar	7	11	10
Liquor Store	9	6	2
Beer and Wine Store	10	10	1
Restaurant	12	56	26

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.01	135.66	156.9
Violent Crimes	11.51	22.21	20.7

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

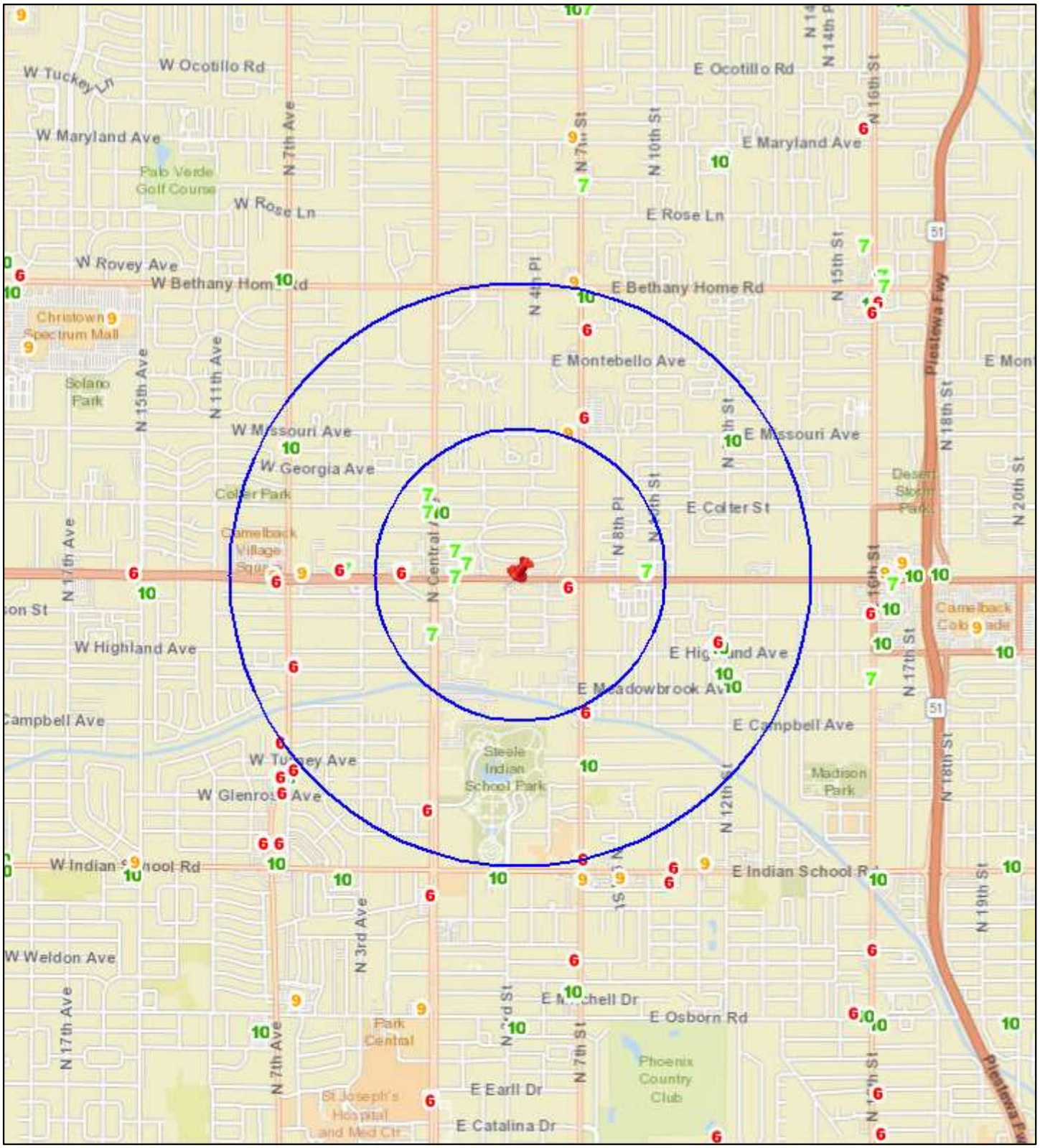
Description	Average	1/2 Mile Average
Parcels w/Violations	49	50
Total Violations	87	96

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1075001	758	80	2	3
1075002	1458	74	7	15
1075003	1599	46	15	14
1076013	1748	38	8	17
1086023	650	23	34	15
1086024	1171	24	9	12
1088021	1456	23	32	31
1088022	435	43	41	19
1171001	2126	10	15	10
Average	0	61	13	19

Liquor License Map: COPPER & SAGE CAMELBACK

322 E CAMELBACK RD



N

Date: 6/2/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 13

Liquor License - Special Event - Puppy Love Foundation

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Jeffrey Stotler

Location
2209 N. 99th Ave.
Council District: 5

Function
Concert

Date(s) - Time(s) / Expected Attendance
July 22, 2023 - 6 p.m. to 10 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 14

Liquor License - Special Event - Puppy Love Foundation

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Jeffrey Stotler

Location
2209 N. 99th Ave.
Council District: 5

Function
Concert

Date(s) - Time(s) / Expected Attendance
July 29, 2023 - 6 p.m. to 10 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 15

Liquor License - Special Event - Puppy Love Foundation

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Jeffrey Stotler

Location
2209 N. 99th Ave.
Council District: 5

Function
Concert

Date(s) - Time(s) / Expected Attendance
Aug. 5, 2023 - 6 p.m. to 10 p.m. / 2,000 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 16

Liquor License - Grab N Go 808

Request for a liquor license. Arizona State License Application 246809.

Summary

Applicant
Vaneet Sapra, Agent

License Type
Series 10 - Beer and Wine Store

Location
5835 N. 27th Ave.
Zoning Classification: C-2
Council District: 5

This request is for a new liquor license for a convenience store that sells gas. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is July 25, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the

applicant in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I am a very good operator. I already own (11) gas stations / convenience stores in Arizona. I own and have been operating locations for the past 25 years. I have training and procedures in place with myself and staff for proper use of this license."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We provide convenience for the consumer with training and operating procedures in place, by our employees. All of our employees are trained to follow the required liquor license polices and procedures."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Grab N Go 808
Liquor License Map - Grab N Go 808

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: GRAB N GO 808

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	4	2
Liquor Store	9	6	3
Beer and Wine Store	10	12	8
Restaurant	12	7	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.01	229.83	262.31
Violent Crimes	11.51	56.13	82.16

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

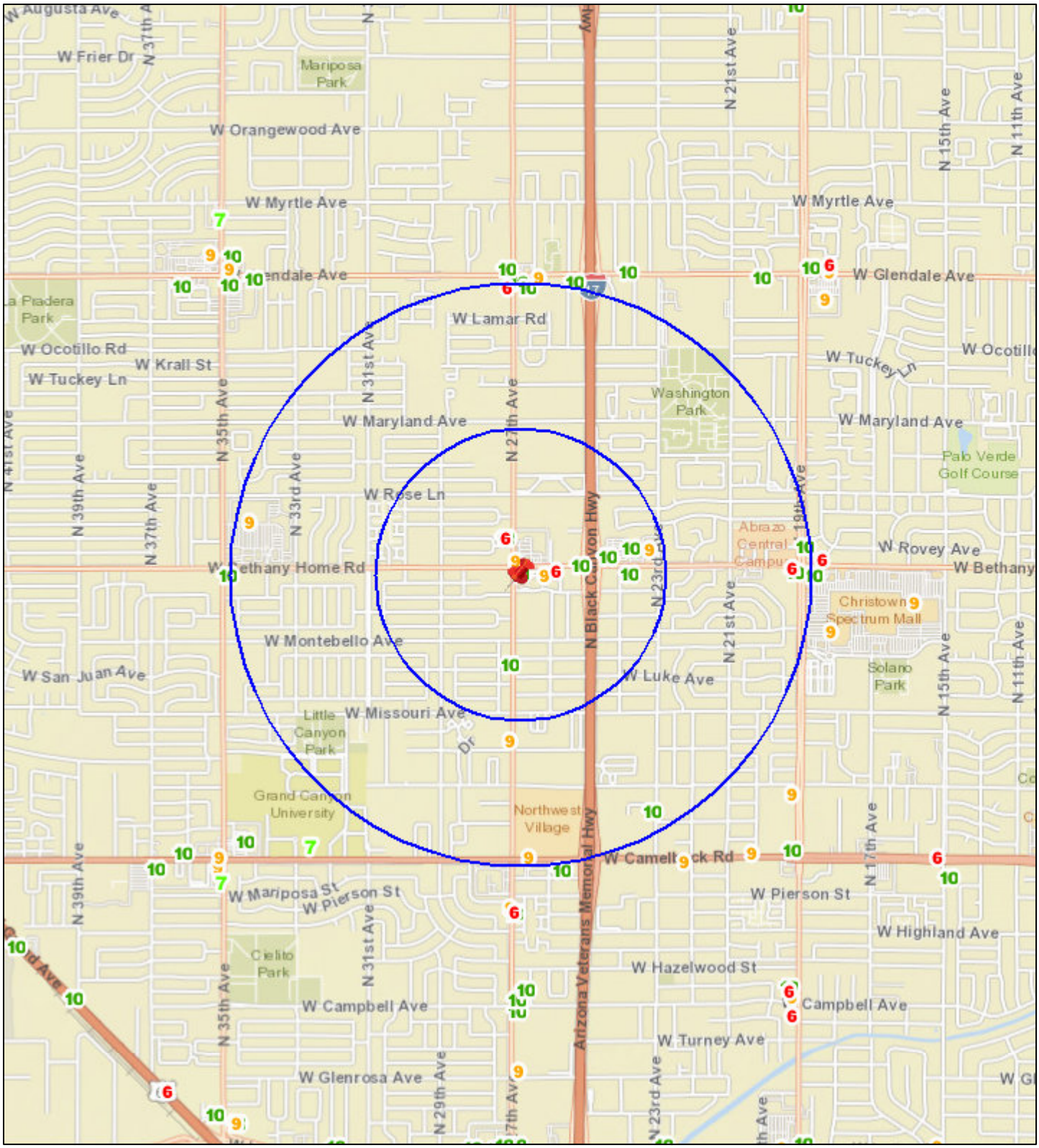
Description	Average	1/2 Mile Average
Parcels w/Violations	49	131
Total Violations	86	228

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1068012	1670	5	28	55
1068013	1083	30	20	33
1068022	1105	85	21	1
1069002	2629	71	5	22
1072012	2127	13	9	63
1072022	2085	62	5	22
1073001	2203	79	3	6
1073004	2614	23	5	31
Average	0	61	13	19

Liquor License Map: GRAB N GO 808

5835 N 27TH AVE



N

Date: 5/30/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 17

Liquor License - Taqueria Obregon

Request for a liquor license. Arizona State License Application 246815.

Summary

Applicant
Roberto Ramos, Agent

License Type
Series 12 - Restaurant

Location
3544 W. Glendale Ave., Ste. 1
Zoning Classification: C-2
Council District: 5

This request is for a new liquor license for a restaurant. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is July 22, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations

on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Wing Kings (Series 12)
2836 E. Indian School Road, Ste. A-1, Phoenix
Calls for police service: 10
Liquor license violations: None

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"- I am a responsible retailer - Will follow all of the policy procedures for alcohol transactions - Staff training and development. - Will be good to the community."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"- Do whats correct for community, and, follow state and city law. - Be a good patron by following standards alcohol secure."

Staff Recommendation
Staff recommends approval of this application.

Attachments
Liquor License Data - Taqueria Obregon
Liquor License Map - Taqueria Obregon

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: TAQUERIA OBREGON

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	0
Beer and Wine Bar	7	1	1
Liquor Store	9	5	2
Beer and Wine Store	10	6	4
Restaurant	12	5	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.01	176	209.23
Violent Crimes	11.51	27.44	47.13

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

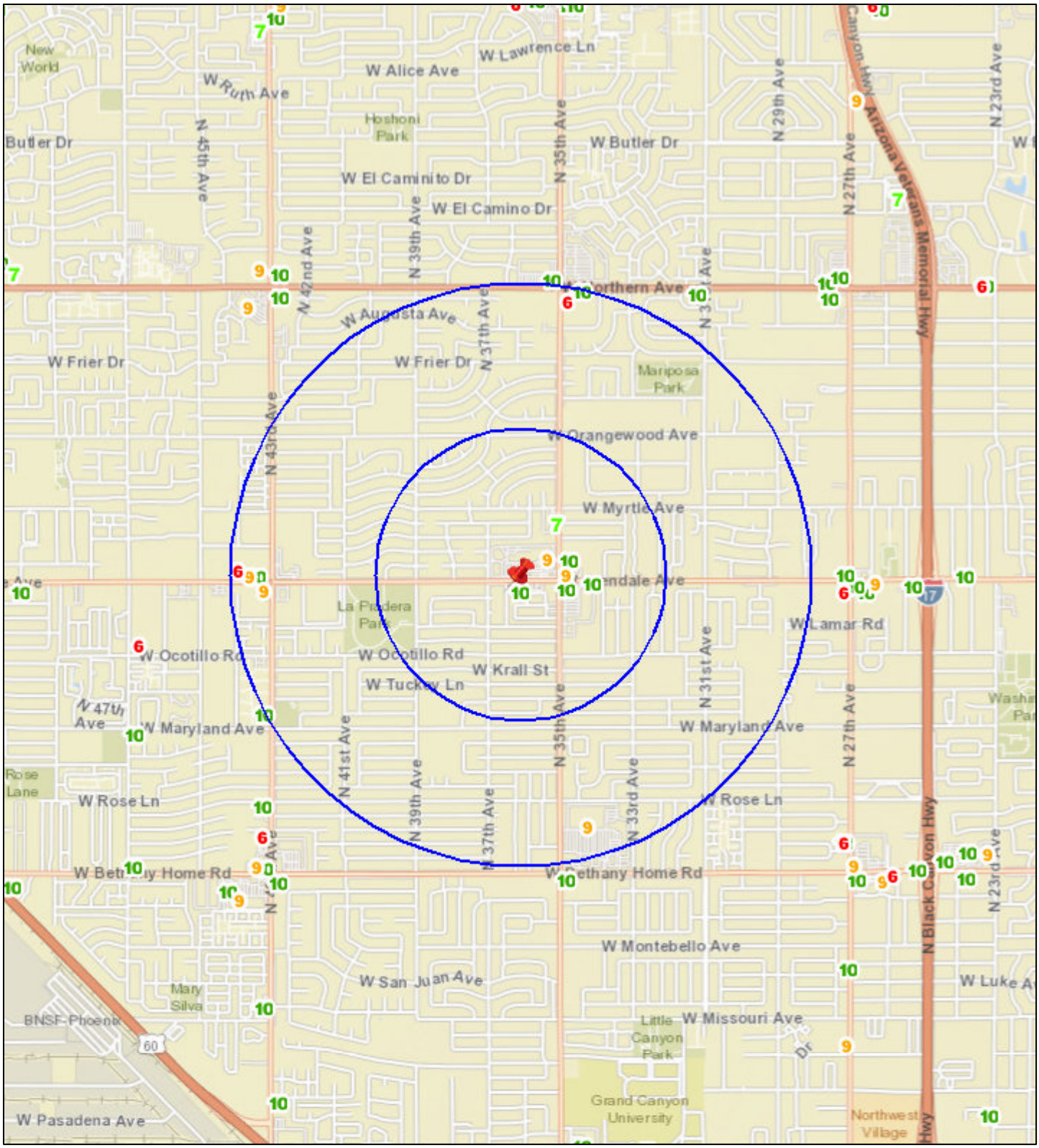
Description	Average	1/2 Mile Average
Parcels w/Violations	50	223
Total Violations	87	455

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1058001	1575	74	8	13
1058002	1458	81	9	36
1058003	1156	78	20	11
1059002	2227	70	11	22
1069004	2444	60	3	27
1070001	1623	80	6	32
1070004	1777	58	24	9
Average	0	61	13	19

Liquor License Map: TAQUERIA OBREGON

3544 W GLENDALE AVE



N

Date: 5/24/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 18

Liquor License - Tres Amigos

Request for a liquor license. Arizona State License Application 246600.

Summary

Applicant
Isa Awad, Agent

License Type
Series 10 - Beer and Wine Store

Location
8205 W. Indian School Road
Zoning Classification: C-2
Council District: 5

This request is for a new liquor license for a convenience store that does not sell gas. This location was previously licensed for liquor sales and may currently operate with an interim permit. This location requires a Use Permit to allow package liquor sales.

The 60-day limit for processing this application is July 22, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I am assured to uphold the laws and regulations about beer and wine license. I have never been involved in any criminal activity, no record of getting in trouble with law and authorities."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"This store will provide a safe and secure place for the neighborhood to buy alcohol. The location will be convenient for the people in neighborhood who may not have access to transportation. Adding the long time experience of the working in convenience store while upholding all the laws and regulations, the store will be a safe, secure and convenience place for the customers to purchase quality beer and wine."

Staff Recommendation
Staff recommends approval of this application noting the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - Tres Amigos
Liquor License Map - Tres Amigos

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: TRES AMIGOS

Liquor License

Description	Series	1 Mile	1/2 Mile
Bar	6	2	2
Liquor Store	9	3	1
Beer and Wine Store	10	10	4
Restaurant	12	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.78	148.83	194.9
Violent Crimes	11.66	36.06	50.1

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

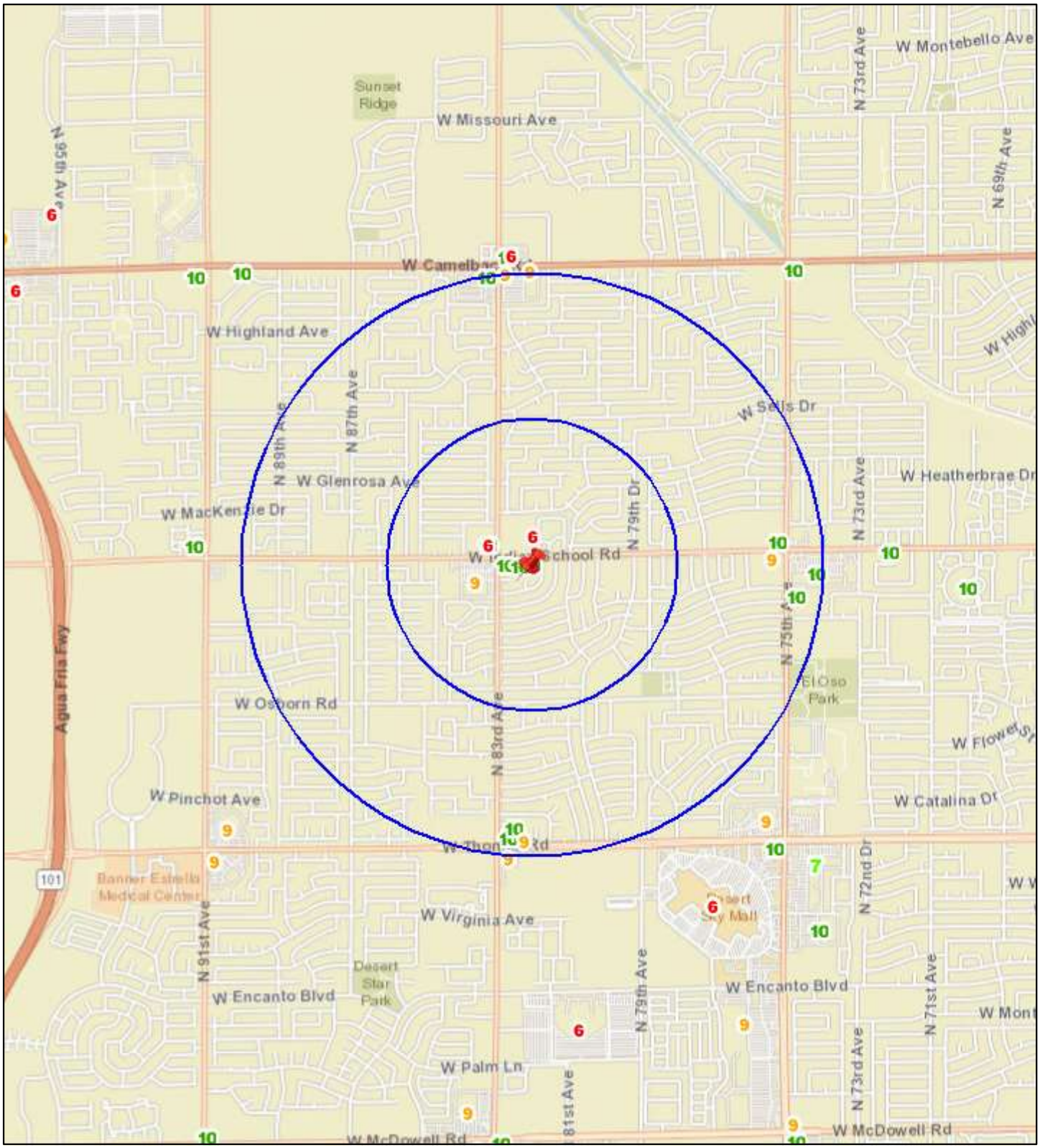
Description	Average	1/2 Mile Average
Parcels w/Violations	49	226
Total Violations	86	388

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
0820081	1711	62	22	20
0820082	1483	70	15	5
0820101	1597	50	25	44
0820102	2628	79	9	16
1096012	1021	34	18	34
1096013	2174	69	19	21
1096031	852	79	11	3
1096034	1269	66	0	17
1097021	1552	88	22	35
1097022	1563	78	26	53
1097023	712	59	9	23
1097041	1602	68	5	35
1097042	784	71	19	15
Average	0	61	13	19

Liquor License Map: TRES AMIGOS

8205 W INDIAN SCHOOL RD



N

Date: 6/15/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 19

Liquor License - Special Event - Madison Camelview Parent Teacher Organization Inc. (PTO)

Request for a Series 15 - Special Event liquor license for the temporary sale of all liquors.

Summary

Applicant
Julie Dougherty

Location
5601 N. 16th St.
Council District: 6

Function
Arizona Music Hall of Fame Awards Ceremony

Date(s) - Time(s) / Expected Attendance
July 16, 2023 - 3 p.m. to 8 p.m. / 904 attendees

Staff Recommendation
Staff recommends approval of this application.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 20

Liquor License - Modern Market

Request for a liquor license. Arizona State License Application 1207A931.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
4901 E. Ray Road, Ste. 100
Zoning Classification: C-2
Council District: 6

This request is for an acquisition of control of an existing liquor license for a restaurant. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is July 21, 2023.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not to the location.

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Modern Market (Series 12)
4821 N. Scottsdale Road, Ste. 109, Scottsdale
Calls for police service: N/A - not in Phoenix

Liquor license violations: None

Modern Market Farm Fresh Eateries (Series 12)
16203 N. Scottsdale Road, Bldg. 8, Ste. 100, Scottsdale
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: "Applicant is committed to upholding the highest standards for business and maintaining compliance with applicable laws. Managers and staff will be trained in the techniques of legal ad responsible alcohol sales and service."

Staff Recommendation
Staff recommends approval of this application.

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 21

Liquor License - Smart & Final #720

Request for a liquor license. Arizona State License Application 09073007.

Summary

Applicant
Joseph Cipollini, Agent

License Type
Series 9 - Liquor Store

Location
3434 W. Greenway Road
Zoning Classification: C-1
Council District: 1

This request is for an acquisition of control of an existing liquor license for a grocery store. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is Aug. 5, 2023.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not to the location.

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

Applicant’s Statement
The applicant submitted the following statement in support of this application. Spelling,

grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: “Applicant is an a experienced licensee committed to upholding the highest standards to maintain compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service.”

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 22

Liquor License - WWOZ Phoenix Pinnacle Peak LLC

Request for a liquor license. Arizona State License Application 239082.

Summary

Applicant
Amy Nations, Agent

License Type
Series 10 - Beer and Wine Store

Location
1905 W. Pinnacle Peak Road
Zoning Classification: C-2 HGT/WVR DVAO
Council District: 1

This request is for a new liquor license for a beer and wine store for a hotel. This location was not previously licensed for liquor sales and does not have an interim permit.

The 60-day limit for processing this application is Aug. 5, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I am officer of various entities that hold alcohol license across the United States."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"The alcohol license is for a corporate lodging building, which will allow for individuals to stay in rooms for various time amounts, depending on work, school, or other life events."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

Attachments
Liquor License Data - WWOZ Phoenix Pinnacle Peak LLC
Liquor License Map - WWOZ Phoenix Pinnacle Peak LLC

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: WWOZ PHOENIX PINNACLE PEAK LLC

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	0
Microbrewery	3	1	0
Wholesaler	4	1	1
Bar	6	2	0
Beer and Wine Bar	7	3	0
Liquor Store	9	1	0
Beer and Wine Store	10	1	0
Hotel	11	3	1
Restaurant	12	2	1
Craft Distiller	18	1	0

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.78	39.67	34.07
Violent Crimes	11.66	2.57	2.01

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

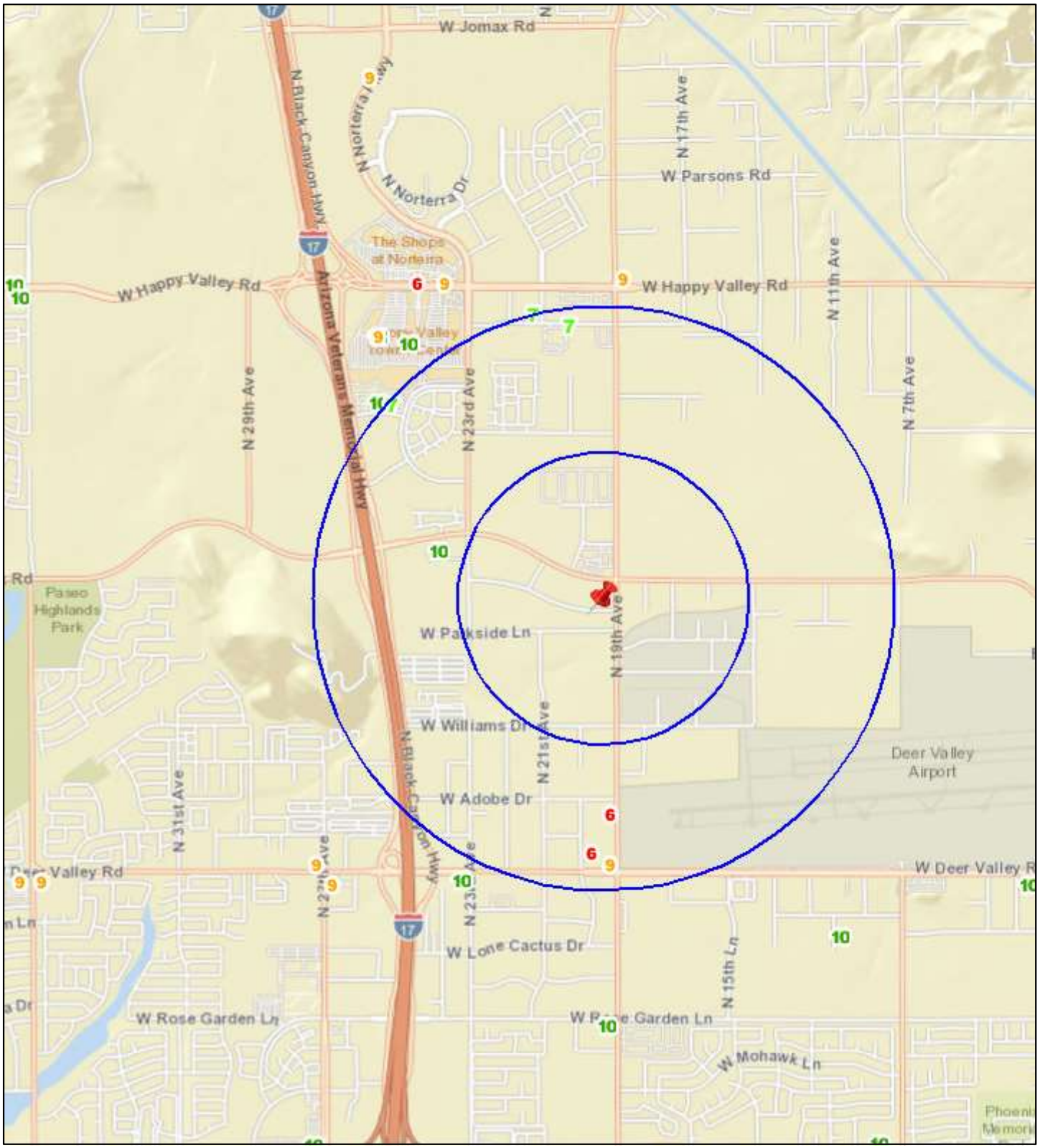
Description	Average	1/2 Mile Average
Parcels w/Violations	49	1
Total Violations	87	2

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
6123001	2199	54	6	5
6147001	287	86	29	31
Average	0	61	13	19

Liquor License Map: WWOZ PHOENIX PINNACLE PEAK LLC

1905 W PINNACLE PEAK RD



N

Date: 6/7/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 23

Liquor License - Smart & Final #721

Request for a liquor license. Arizona State License Application 09073008.

Summary

Applicant
Joseph Cipollini, Agent

License Type
Series 9 - Liquor Store

Location
13823 N. Tatum Blvd.
Zoning Classification: C-1
Council District: 2

This request is for an acquisition of control of an existing liquor license for a grocery store. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is Aug. 5, 2023.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not to the location.

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

Applicant’s Statement
The applicant submitted the following statement in support of this application. Spelling,

grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: “Applicant is an a experienced licensee committed to upholding the highest standards to maintain compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service.”

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 24

Liquor License - Moon Valley Country Club

Request for a liquor license. Arizona State License Application 06070082.

Summary

Applicant
Ryan Anderson, Agent

License Type
Series 6 - Bar

Location
151 W. Moon Valley Drive
Zoning Classification: R1-10, R1-10 SP
Council District: 3

This request is for an acquisition of control of an existing liquor license for a country club. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is Aug. 5, 2023.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not to the location.

Other Active Liquor License Interest in Arizona
The ownership of this business has an interest in other active liquor license(s) in the State of Arizona. This information is listed below and includes liquor license violations on file with the AZ Department of Liquor Licenses and Control and, for locations within the boundaries of Phoenix, the number of aggregate calls for police service within the last 12 months for the address listed.

Mulligans at Western Skies Golf Club (Series 12)
1245 E. Warner Road, Gilbert
Calls for police service: N/A - not in Phoenix

Liquor license violations: None

Western Skies Golf Club (Series 7)
1245 E. Warner Road, Gilbert
Calls for police service: N/A - not in Phoenix
Liquor license violations: None

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: "This is an acquisition of control of an existing successful and licensed F and B business. The same responsible and trained staff will continue to support and work at this business. It will continue to maintain the highest standard of service and follow Title 4 liquor laws, and will continue to be a good neighbor in the community."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 25

Liquor License - Smart & Final #499

Request for a liquor license. Arizona State License Application 09073009.

Summary

Applicant
Joseph Cipollini, Agent

License Type
Series 9 - Liquor Store

Location
1450 N. 43rd Ave.
Zoning Classification: C-2
Council District: 4

This request is for an acquisition of control of an existing liquor license for a grocery store. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is Aug. 5, 2023.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not to the location.

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

Applicant’s Statement
The applicant submitted the following statement in support of this application. Spelling,

grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: “Applicant is an a experienced licensee committed to upholding the highest standards to maintain compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service.”

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 26

Liquor License - Smart & Final #491

Request for a liquor license. Arizona State License Application 10075715.

Summary

Applicant
Joseph Cipollini, Agent

License Type
Series 10 - Beer and Wine Store

Location
2742 E. Indian School Road
Zoning Classification: C-2
Council District: 6

This request is for an acquisition of control of an existing liquor license for a grocery store. This location is currently licensed for liquor sales.

The 60-day limit for processing this application is Aug. 5, 2023.

Pursuant to A.R.S. 4-203, consideration may be given only to the applicant's personal qualifications and not to the location.

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the applicant in the State of Arizona.

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

Applicant’s Statement
The applicant submitted the following statement in support of this application. Spelling,

grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because: “Applicant is an a experienced licensee committed to upholding the highest standards to maintain compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service.”

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 27

Liquor License - Moxy Phoenix Downtown

Request for a liquor license. Arizona State License Application 244699.

Summary

Applicant
Eren Bicakci, Agent

License Type
Series 11 - Hotel/Motel

Location
116 S. Central Ave.
Zoning Classification: DTC-Business Core HP
Council District: 7

This request is for a new liquor license for a hotel. This location was not previously licensed for liquor sales and does not have an interim permit. This business is currently being remodeled with plans to open in September 2023.

The 60-day limit for processing this application is July 29, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"I have managed multiple hotels without any violations or issues last 15 years. My team and I are going to abide all the rules and regulations of the Arizona Liquor Department and act responsibly on day to day operations."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"As a part of Marriott International we strive for excellence for our valuable guest. Their needs are our top priority. We would like to have the opportunity to make sure to serve our guest and meet all their expectations without having the need of leaving the hotel and provide them smooth, convenient experience while they are visiting Greater Phoenix Area."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process.

Attachments
Liquor License Data - Moxy Phoenix Downtown
Liquor License Map - Moxy Phoenix Downtown

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: MOXY PHOENIX DOWNTOWN

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	1
Microbrewery	3	3	1
Wholesaler	4	1	0
Government	5	6	4
Bar	6	45	32
Beer and Wine Bar	7	12	6
Liquor Store	9	3	2
Beer and Wine Store	10	14	1
Hotel	11	6	4
Restaurant	12	104	46
Club	14	3	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.01	224.7	254.77
Violent Crimes	11.51	64.8	61.46

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

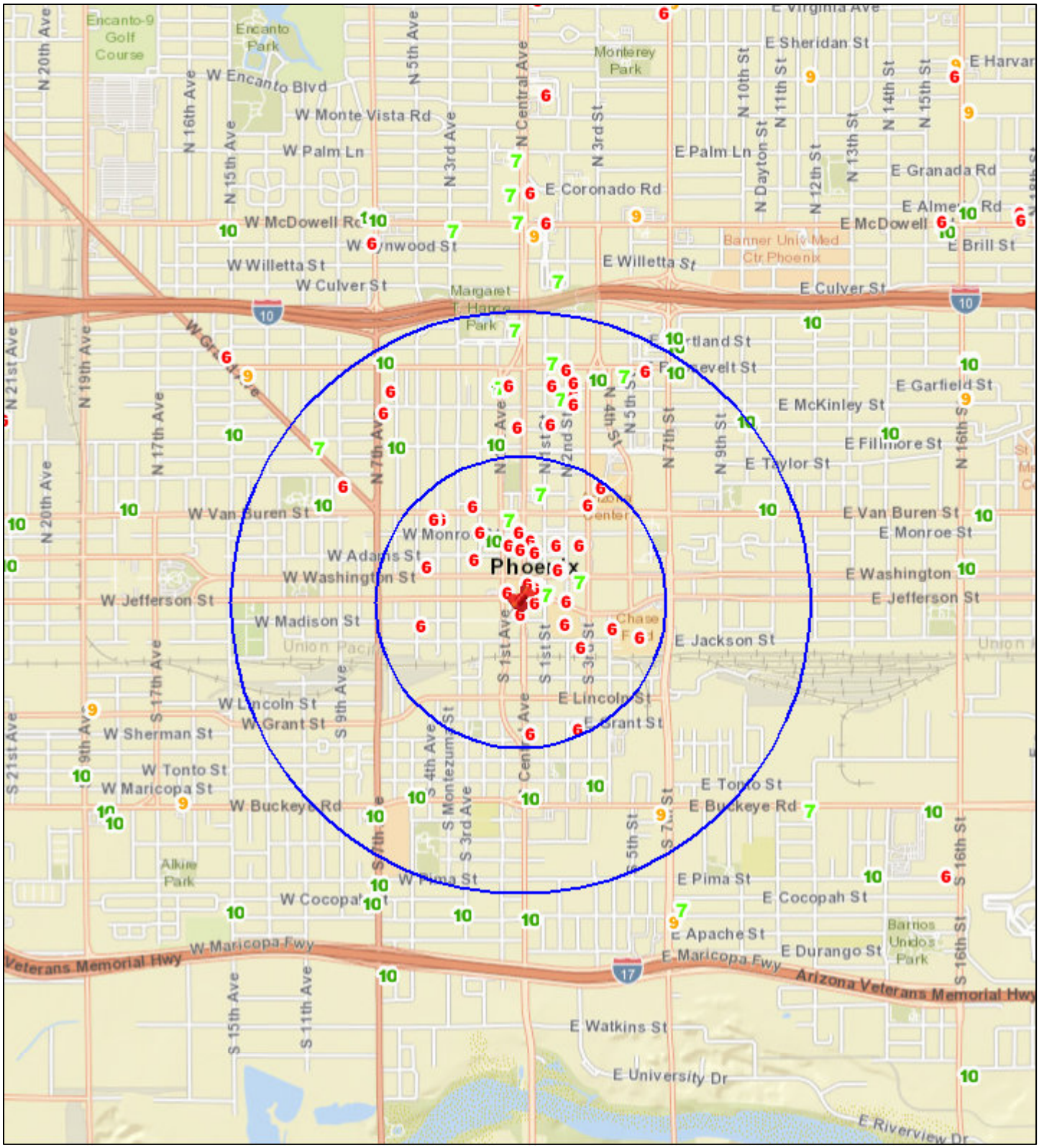
Description	Average	1/2 Mile Average
Parcels w/Violations	49	38
Total Violations	87	64

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1131001	1015	7	8	28
1131002	1242	3	7	33
1141001	2299	16	37	44
1142001	1321	36	22	50
1143011	1389	22	15	57
Average	0	61	13	19

Liquor License Map: MOXY PHOENIX DOWNTOWN

116 S CENTRAL AVE



N

Date: 6/2/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 28

Liquor License - The Croft Downtown by Wedgewood Weddings

Request for a liquor license. Arizona State License Application 006070007028.

Summary

Applicant
Andrea Lewkowitz, Agent

License Type
Series 6 - Bar

Location
22 E. Buchanan St.
Zoning Classification: DTC-Warehouse
Council District: 8

This request is for a location transfer of a liquor license for a bar. This location was not previously licensed for liquor sales and does not have an interim permit. This location requires a Use Permit to allow outdoor liquor service.

The 60-day limit for processing this application is Aug. 6, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This information is not provided due to the multiple ownership interests held by the

applicant in the State of Arizona.

Public Opinion
At the time this agenda was finalized, no protest or support letters had been received, however the 20-day public comment period had not yet concluded.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"Applicant is an experienced licensee committed to upholding the highest standards to maintain compliance with applicable laws. Managers and staff will be trained in the techniques of legal and responsible alcohol sales and service."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"Located in the heart of downtown Phoenix, Applicant would like to provide customized food and beverage service for weddings and events in an industrial, chic and sophisticated atmosphere. Applicant would like to offer alcoholic beverages to guests 21 and over as an incident to the meals served."

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the posting process. Staff also notes the applicant must resolve any pending City of Phoenix building and zoning requirements and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - The Croft Downtown by Wedgewood Weddings
Liquor License Map - The Croft Downtown by Wedgewood Weddings

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: THE CROFT DOWNTOWN BY WEDGEWOOD WEDDINGS

Liquor License

Description	Series	1 Mile	1/2 Mile
Producer	1	1	1
Microbrewery	3	1	0
Wholesaler	4	1	0
Government	5	4	0
Bar	6	40	24
Beer and Wine Bar	7	9	4
Liquor Store	9	4	2
Beer and Wine Store	10	14	3
Hotel	11	5	3
Restaurant	12	71	41
Club	14	3	1

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.78	203.82	221.23
Violent Crimes	11.66	62.81	48.83

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

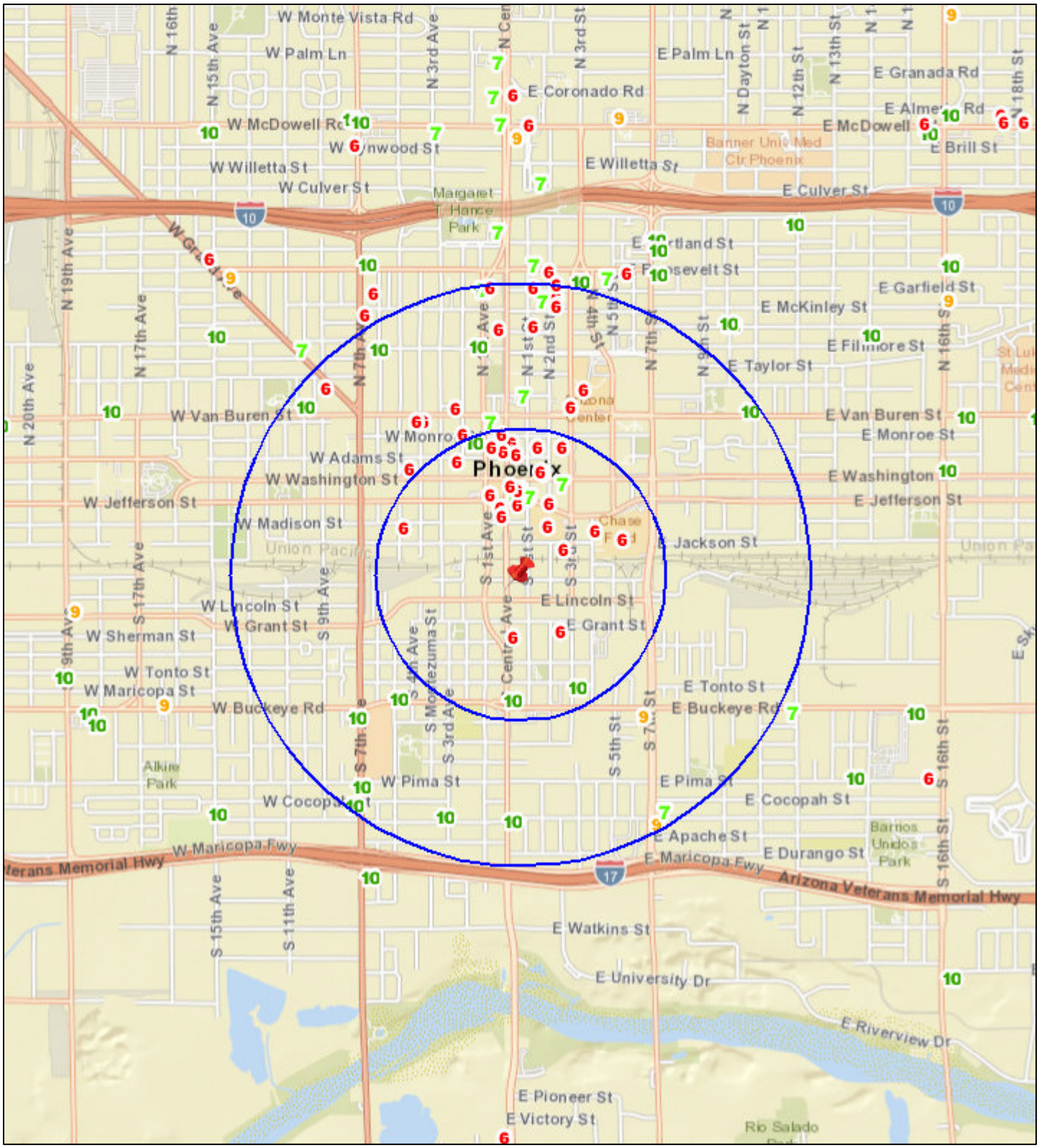
Description	Average	1/2 Mile Average
Parcels w/Violations	49	96
Total Violations	86	161

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1140001	1831	25	20	47
1140002	78	77	0	32
1141001	2299	16	37	44
1142001	1321	36	22	50
1149001	798	28	13	57
1149002	1742	11	3	68
Average	0	61	13	19

Liquor License Map: THE CROFT DOWNTOWN BY WEDGEWOOD WEDDINGS

22 E BUCHANAN ST



N

Date: 6/9/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 29

Liquor License - La Laguna Mariscos y Mexican Food

Request for a liquor license. Arizona State License Application 246407.

Summary

Applicant
Jeffrey Miller, Agent

License Type
Series 12 - Restaurant

Location
4130 N. 27th Ave.
Zoning Classification: C-2
Council District: 4

This request is for a new liquor license for a restaurant. This location was previously licensed for liquor sales and may currently operate with an interim permit.

The 60-day limit for processing this application is July 18, 2023.

Pursuant to A.R.S. 4-203, a spirituous liquor license shall be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and that the public convenience and the best interest of the community will be substantially served by the issuance. If an application is filed for the issuance of a license for a location, that on the date the application is filed has a valid license of the same series issued at that location, there shall be a rebuttable presumption that the public convenience and best interest of the community at that location was established at the time the location was previously licensed. The presumption shall not apply once the licensed location has not been in use for more than 180 days.

Other Active Liquor License Interest in Arizona
This applicant does not hold an interest in any other active liquor license in the State of Arizona.

Public Opinion
No protest or support letters were received within the 20-day public comment period.

Applicant's Statement
The applicant submitted the following statement in support of this application. Spelling, grammar and punctuation in the statement are shown exactly as written by the applicant on the City Questionnaire.

I have the capability, reliability and qualifications to hold a liquor license because:
"We train all of our employees in responsible liquor service and conduct regular audits to ensure they comply. All employees will go through basic title 4 training with Arizona Liquor Industry Consultants."

The public convenience requires and the best interest of the community will be substantially served by the issuance of the liquor license because:
"We would like the ability to serve our patrons of legal drinking age, an adult beverage with their meal if they choose to have one."

Staff Recommendation
Staff recommends disapproval of this application based on a Finance Department recommendation for disapproval. The applicant has not demonstrated the capability, qualifications and reliability to hold and control a liquor license. Staff also notes that the applicant must resolve any pending City of Phoenix building and zoning requirements, and be in compliance with the City of Phoenix Code and Ordinances.

Attachments
Liquor License Data - La Laguna Mariscos y Mexican Food
Liquor License Map - La Laguna Mariscos y Mexican Food

Responsible Department
This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

Liquor License Data: LA LAGUNA MARISCOS Y MEXICAN FOOD

Liquor License

Description	Series	1 Mile	1/2 Mile
Wholesaler	4	1	1
Bar	6	3	0
Liquor Store	9	5	1
Beer and Wine Store	10	18	7
Restaurant	12	4	2

Crime Data

Description	Average *	1 Mile Average **	1/2 Mile Average***
Property Crimes	60.01	218.12	247.34
Violent Crimes	11.51	80.81	111.78

*Citywide average per square mile **Average per square mile within 1 mile radius ***Average per square mile within ½ mile radius

Property Violation Data

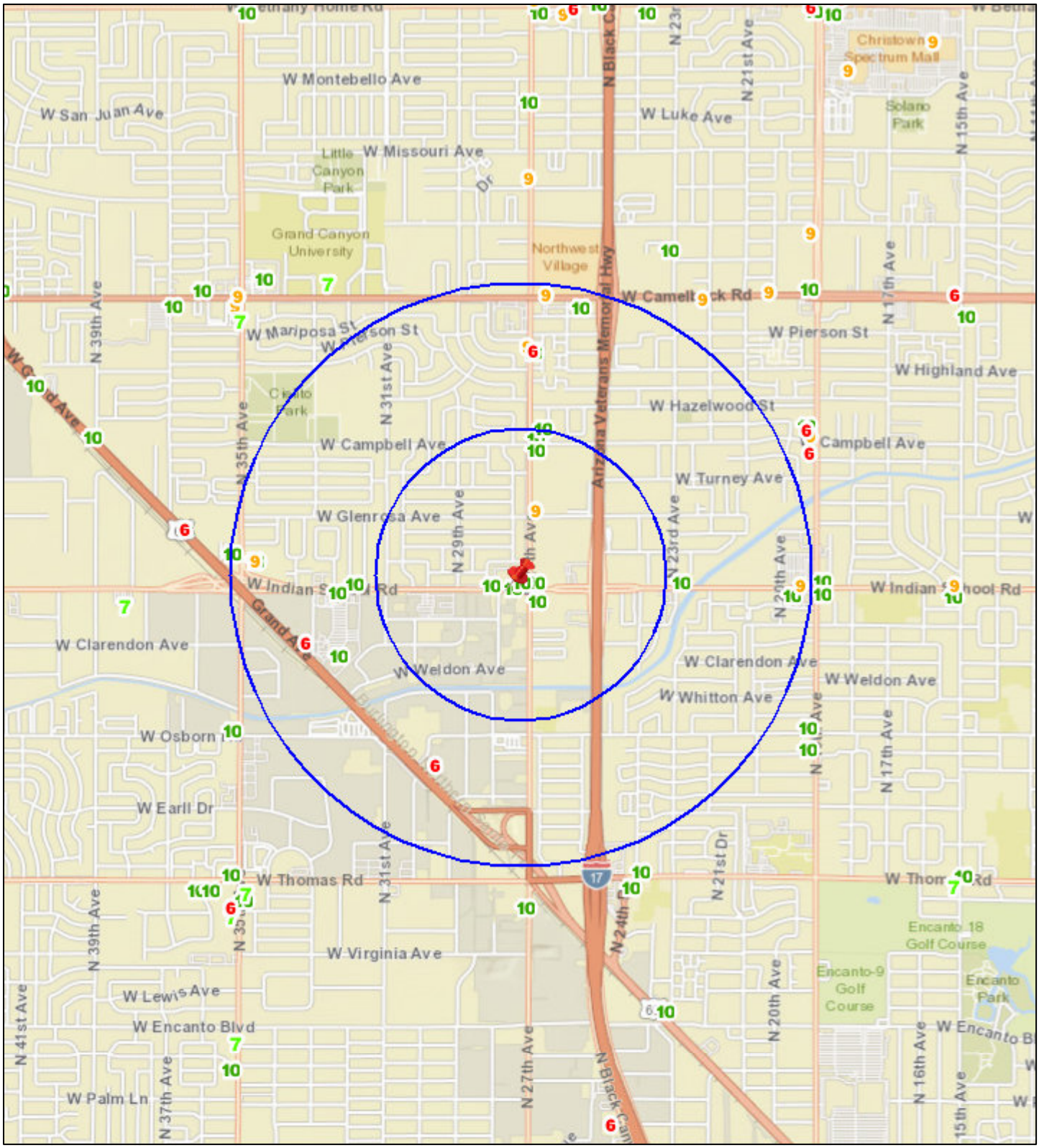
Description	Average	1/2 Mile Average
Parcels w/Violations	50	80
Total Violations	87	151

Census 2010 Data 1/2 Mile Radius

BlockGroup	2010 Population	Owner Occupied	Residential Vacancy	Persons in Poverty
1090011	1552	19	22	42
1090012	3369	0	11	59
1090033	1600	22	13	68
1090034	583	5	26	49
1091012	2067	85	10	30
1091022	2966	78	14	50
1091023	1085	28	19	21
1169001	2535	66	12	50
1170002	1845	32	9	34
Average	0	61	13	19

Liquor License Map: LA LAGUNA MARISCOS Y MEXICAN FOOD

4130 N 27TH AVE



N

Date: 5/22/2023

0 0.2 0.4 0.8 1.2 1.6 mi

City Clerk Department

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 30

Off-Track Pari-Mutuel Wagering Permit - American Legion #1

Request for an Off-track Pari-mutuel Wagering Permit for a business that has a Series 14 liquor license.

Summary

State law requires City Council approval before a State Off-track Pari-mutuel Wagering Permit can be issued.

Applicant
David Johnson, Agent for Turf Paradise

Location
364 N. 7th Ave.
Zoning Classification: C-3 CMOD ACOD
Council District: 7

Public Opinion
Public notice was posted at the proposed location and special notice letters were mailed to residents within a 1/8 mile radius of the proposed location. At the time this agenda was finalized, no protest or support letters has been received, however the 20-day public comment period has not yet concluded.

Staff Recommendation
Staff makes no recommendation regarding this application pending the completion of the departmental reviews and the posting process.

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

PAYMENT ORDINANCE (Ordinance S-50031) (Items 31-44)

Ordinance S-50031 is a request to authorize the City Controller to disburse funds, up to amounts indicated below, for the purpose of paying vendors, contractors, claimants and others, and providing additional payment authority under certain existing city contracts. This section also requests continuing payment authority, up to amounts indicated below, for the following contracts, contract extensions and/or bids awarded. As indicated below, some items below require payment pursuant to Phoenix City Code Section 42-13.

31 **Avolve Software Corporation**

For $41,330 in payment authority to purchase annual software maintenance and support service for the Planning and Development Department. An electronic review process software known as ProjectDox will assist Planning and Development staff with work flow capability. ProjectDox Electronic Plan Review Work Flows and eForms are defined by Avolve as “Best-in-Class,” or otherwise designated by Avolve as “standard derivatives” of Best-in-Class work flows and eForms. A standard derivative work flow and/or eForm is considered that which can be reasonably implemented by way of features and functions included in the software and for which additional custom software code development is not required. A large portion of staff in the Planning and Development Department are responsible for the intake, tracking and review process of construction plans. After hard copy plans are submitted, they go through a routing process for review. ProjectDox reduces processing times and is integrated with staff's existing KIVA system. The cost supplied by Avolve Software Corporation for the annual agreement is currently below market value. This purchase will cover the required service through April 2024. Funding is available through the Planning and Development Department budget for Fiscal Year 2023-24.

32 **Runbeck Election Services Inc.**

For $60,0000 in payment authority to purchase outside mailing services for the City Clerk Department. The City Clerk Department will have an election this fall that will be conducted by Maricopa County. Approximately 900,000 notification postcards will need to be processed and mailed to each eligible voter in Phoenix. The City mail-room does not have the equipment nor the USPS software needed to process bulk quantities and special mailings. Funds will be covered through the City Clerk's operational budget Fiscal Year 2023-24.

33 **Mwewa, David Chushi, dba Southlands Engineering LLC; Construction Supply Holdings LLC, dba White Cap LP; and Western Pneumatic Tools, dba Construction Tool Supply**

For $95,000 in payment authority for new contracts, to be entered into on or about June 15, 2023, for a term of five years for concrete walk-behind saw replacement parts and accessories for the Street Transportation Department. The Street Maintenance Division utilizes concrete parts and accessories for walk-behind saws to cut and remove damaged sections of asphalt or concrete Citywide, for the purpose of maintaining the City’s roadways and other assets within the right-of-way. Each contract will have approximately $31,666 in payment authority and capacity.

34 **Arizona Blue Stake doing business as Arizona 811**

For $125,000 in payment authority to continue mandatory pre-excavation notification services for underground utility locating services in Fiscal Year 2023-24 for the Water Services Department (WSD). The contractor works with professional excavators and homeowners throughout Arizona to notify WSD Utility Locating staff of excavations near WSD underground utilities. WSD staff responds to notices by locating infrastructure and marking the street to prevent possible damage to the underground infrastructure. Marking utility lines is critical to preventing fines, serious injuries, costly damages, and service interruptions to utilities. Per state law, Arizona Revised Statutes 40-360.21-32, participation in this program is a legal requirement for all underground facility owners-operations with the right to bury underground facilities in the right-of-way. References Intergovernmental Agreement 144146-0.

35 **American Water Works Association - Annual Payment**

Authority

For $25,000 in payment authority for membership renewal for the Water Services Department. The American Water Works Association develops most of the standards and specifications used in the drinking water industry. The membership will allow access to industry standards, as well as current water industry research reports, professional training opportunities, public outreach efforts, access to a network of industry leaders and ongoing updates regarding regulatory issues. The item was recommended for approval by the Transportation, Infrastructure and Planning Subcommittee on April 19, 2023.

36 **Arizona Municipal Water Users Association - Annual Payment Authority**

For $456,000 in payment authority for membership renewal to the Arizona Municipal Water Users Association for the Water Services Department. Participation in the Arizona Municipal Water Users Association provides Water Services staff access to a variety of research and information addressing drinking water, wastewater, water reclamation, watershed quality and storm water issues. The item was recommended for approval by the Transportation, Infrastructure and Planning Subcommittee on April 19, 2023.

37 **Association of Metropolitan Water Agencies - Annual Payment Authority**

For $23,500 in payment authority for the Fiscal Year 2023-24 membership renewal to the Association of Metropolitan Water Agencies for the Water Services Department. The Association of Metropolitan Water Agencies conducts financial surveys across the major utilities in the country, which allows Water Services to benchmark its performance on various issues. The Association also advocates at the federal level for the use of science-based drinking water quality standards. The item was recommended for approval by the Transportation, Infrastructure and Planning Subcommittee on April 19, 2023.

38 **National Association of Clean Water Agencies - Annual Payment Authority**

For $64,500 in payment authority for membership renewal for the Water

Services Department. The National Association of Clean Water Agencies conducts a financial survey of the wastewater industry that Water Services staff uses to benchmark its operations, provides information used to formulate policy recommendations on Clean Water Act issues, and offers opportunities to collaborate with colleagues around the country to help shape national policy. The item was recommended for approval by the Transportation, Infrastructure and Planning Subcommittee on April 19, 2023.

39 **Water Research Foundation - Annual Payment Authority**

For $274,000 in payment authority for membership renewal for the Water Services Department to the Water Research Foundation. The Foundation sponsors research to assist water utilities in providing safe and affordable drinking water. A membership with the organization allows Water Services staff access to the latest research and technical information used to address drinking water, wastewater and water reclamation issues. The item was recommended for approval by the Transportation, Infrastructure and Planning Subcommittee on April 19, 2023.

40 **WateReuse Association - Annual Payment Authority**

For $15,200 in payment authority for membership renewal to the WateReuse Association for the Water Services Department. Participation in the WateReuse Association provides Water Services staff access to a variety of research and information addressing drinking water, wastewater, water reclamation, watershed quality and storm water issues. The item was recommended for approval by the Transportation, Infrastructure and Planning Subcommittee on April 19, 2023.

41 **Western Urban Water Coalition - Annual Payment Authority**

For $40,000 in payment authority for Fiscal Year 2023-24 membership renewal for the Water Services Department. The Western Urban Water Coalition is an organization of the western United States' largest urban water utilities. The membership helps secure sound national water policies, programs and regulations impacting the unique challenges facing urban water supplies in the West. The item was recommended for approval by the Transportation, Infrastructure and Planning Subcommittee

on April 19, 2023.

42 **Settlement of Claim(s) Cocreham v. City of Phoenix**

To make payment of up to $1,000,000 in settlement of claim(s) in *Cocreham v. City of Phoenix,* CV2021-012234, 20-0936-001, GL, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Police Department that occurred on Oct. 20, 2020.

43 **Settlement of Claim(s) Yudell & Hum v. City of Phoenix**

To make payment of up to $750,000 in settlement of claim(s) in *Yudell & Hum v. City of Phoenix*, 21-1079-001, GL, PD, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Water Services Department that occurred on June 1, 2022.

44 **Settlement of Claim(s) Hernandez v. City of Phoenix**

To make payment of up to $50,000 in settlement of claim(s) in *Hernandez v. City of Phoenix,* 2:19-cv-05365-MTL, 19-0344-001, GL, BI, for the Finance Department pursuant to Phoenix City Code Chapter 42. This is a settlement of a claim involving the Police Department that occurred on Oct. 10, 2019.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 45

Public Hearing on Adoption of Property Tax Levy for 2023-24 Fiscal Year

As required by State statute, request the City Council hold a public hearing prior to the adoption of a property tax levy for the City of Phoenix for 2023-24.

Concurrence/Previous Council Action

The proposed 2023-24 property tax levy reflects actions taken by the Council on the budget at the May 16, 2023 Policy meeting, at the May 31, 2023 Formal meeting to adopt the tentative 2023-24 budget, and at the June 14, 2023 Formal meeting to adopt the final 2023-24 budget. At the June 14, 2023 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

Responsible Department

This item is submitted by City Manager Jeffrey Barton and the Budget and Research Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 46

Adoption of Property Tax Levy for 2023-24 Fiscal Year (Ordinance S-50038)

An ordinance levying separate amounts to be raised for primary and secondary property tax levies upon each one hundred dollars ($100.00) of the assessed valuation of the property subject to taxation within the City of Phoenix for the fiscal year ending June 30, 2024.

Summary

The ordinance (**Attachment A**) provides for a primary property tax rate resulting in a levy of $209,025,792 (a General Fund revenue source) equating to a rate of $1.2851 per $100 of assessed valuation, including $0.08 for maintenance of parks and playgrounds and $0.2851 for the operation and maintenance of libraries; and an estimated secondary property tax levy of $132,416,075 (used only for debt service) equating to a rate of $0.8141 per $100 of assessed valuation. The total rate of $2.0992 is lower than the total 2022-23 rate of $2.1130.

Concurrence/Previous Council Action

The proposed 2023-24 property tax levy reflects actions taken by the Council on the budget at the May 16, 2023 Policy meeting, at the May 31, 2023 Formal meeting to adopt the tentative 2023-24 budget, and at the June 14, 2023 Formal meeting to adopt the final 2023-24 budget. At the June 14, 2023 Formal meeting, a public hearing on the proposed primary property tax levy was held in accordance with statutory truth-in-taxation requirements.

Responsible Department

This item is submitted by City Manager Jeffrey Barton and the Budget and Research Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE S-#####

AN ORDINANCE LEVYING SEPARATE AMOUNTS TO BE RAISED FOR PRIMARY AND SECONDARY PROPERTY TAX LEVIES UPON EACH ONE HUNDRED DOLLARS ($100.00) OF THE ASSESSED VALUATION OF PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF PHOENIX FOR THE FISCAL YEAR ENDING JUNE 30, 2024.

_____

WHEREAS, by the provisions of the City Charter an ordinance levying taxes for the fiscal year 2023-24 is required to be finally adopted not later than the last regular Council meeting in July of said fiscal year, which date complies with State law requirements; and

WHEREAS, the County of Maricopa is now the tax assessing and collecting authority for the City of Phoenix, the City Clerk is hereby directed to transmit a certified copy of this tax levy ordinance to the Assessor and the Board of Supervisors of Maricopa County, Arizona as required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. There is hereby levied on each ONE HUNDRED DOLLARS ($100.00) of the limited assessed value of all property, real, personal and possessory interest, within the corporate limits of the City of Phoenix, except such property as may

be by law exempt from taxation, a primary property tax rate equating to $1.2851 which is sufficient to generate a primary property levy of TWO HUNDRED AND NINE MILLION, TWENTY FIVE THOUSAND, AND SEVEN HUNDRED AND NINETY TWO DOLLARS ($209,025,792), an amount within the maximum allowable primary tax levy under the Arizona Constitution. The primary tax levy is allocated into the following amounts or rates for each of the following purposes:

(a) For the purpose of providing funds for the GENERAL MUNICIPAL AND ADMINISTRATIVE EXPENSES of the City, in accordance with Chapter XVIII - Section 8 of the City Charter, a tax rate of $1.00 per ONE HUNDRED DOLLARS ($100.00) of limited assessed valuation of all taxable real, personal and possessory interest property in the City of Phoenix, which includes $0.08 per ONE HUNDRED DOLLARS ($100.00) of such limited assessed valuation for the purpose of providing funds for the OPERATION AND MAINTENANCE OF PARKS AND PLAYGROUNDS, in accordance with Chapter XXIII - Section 2 - Subsection 2 of the City Charter.

(b) For the purpose of providing funds for the OPERATION AND MAINTENANCE OF LIBRARIES, in accordance with Chapter XVIII - Section 11 of the City Charter, a tax rate of $0.2851 per ONE HUNDRED DOLLARS ($100.00) of limited assessed valuation of all taxable real, personal and possessory interest property in the City of Phoenix.

SECTION 2. In addition to the property tax levy for primary purposes set in Section 1 above, there is hereby levied on each ONE HUNDRED DOLLARS ($100.00) of the limited assessed value of all property, real, personal and possessory interest, within the corporate limits of the City of Phoenix, except such property as may

by law be exempt from taxation, a secondary tax rate of $0.8141 for secondary purposes for paying principal of and interest on or redemption charges on general obligation bonds of the City of Phoenix.

SECTION 3. The primary property tax rate as calculated in Section 1 and the secondary tax rate as calculated in Section 2 shall equal a combined tax rate of $2.0992.

SECTION 4. Failure by the County officials of Maricopa County, Arizona to properly return the delinquent list, any irregularity in assessments or omissions in the same, or any irregularity in any proceedings shall not invalidate such proceedings or invalidate any title conveyed by a tax deed; failure or neglect of any officer or officers to timely perform any of the duties assigned to him or to them shall not invalidate any proceedings or any deed or sale pursuant thereto; the questioned validity of assessment or levy of taxes or of the judgment of sale by which collection of the same may be enforced shall not affect the lien of the City upon such property for the delinquent taxes unpaid thereon; overcharge as to part of the taxes or of costs shall not invalidate any proceedings for the collection of taxes or the foreclosure of the lien therefore or a sale of the property under such foreclosures; and all acts of officers de facto shall be valid as if performed by officers de jure.

DRAFT

PASSED by the Council of the City of Phoenix on this 3rd day of July, 2023.

_____

M A Y O R

ATTEST:

_____ City Clerk

APPROVED AS TO FORM:

_____ Acting City Attorney

REVIEWED BY:

_____ City Manager

DRAFT

PHOENIX, ARIZONA
2023-24 LEGAL LIMIT
PROPERTY TAX LEVY FOR PRIMARY PURPOSES
A.R.S. § 42-17051, Subsection A

1.	Maximum allowable levy for the prior year	$ 201,206,519
2.	The above figure increased by two percent (2%)	205,230,649
3.	Current Assessed Value of last year's property	15,969,541,884
4.	A. "3" divided by 100	159,695,419
	B. Maximum Allowable Tax Rate equals - "2" divided by "4A" ($205,230,649 ÷ $159,695,419)	1.2851
5.	Estimated Current Assessed Value	16,265,332,852
6.	A. Current Assessed Value divided by 100	162,653,329
	B. Levy equals - "4B" multiplied by "6A" ($1.2851 X $162,653,329)	209,025,792
	Estimated over collections of the 2022-23 primary property tax levy will reduce this estimate as follows:	
7.	A. Estimated over collections of 2022-23 primary levy	-0-
	B. Maximum Allowable Levy Limit for 2023-24	$ 209,025,792
8.	Adjusted Allowable Levy Limit and Tax Rate:	
	A. Allowable Levy Limit for 2023-24	$ 209,025,792
	B. Accepted Torts	-0-
	C. Adjusted Allowable Levy Limit	$ 209,025,792
	D. Adjusted Allowable Tax Rate - "8C" divided by "6A" ($209,025,792 ÷ $162,653,329)	1.2851
2023-24 Primary Levy		**$ 209,025,792**
2023-24 Primary Tax Rate		**1.2851**

DRAFT

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 47

Proposed DVhawk Annexation (Ordinance S-50068)

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Ariz., by annexing an area not within the present limits of the City of Phoenix, designated as the DVhawk Annexation. Further request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

The annexation was requested by Clark Diepholz, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach

A public hearing was conducted on March 22, 2023, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the Arizona Business Gazette newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

Location

The proposed annexation area includes Maricopa County Assessor parcel 210-07-025A, located at 17th Avenue and Alameda Road (**Attachment A**). The annexation area is approximately 2.40 acres (0.0037 sq. mi.) and the population estimate is zero individuals.

Council District: 1

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

ANNEXATION MAP

DVHAWK

City of Phoenix

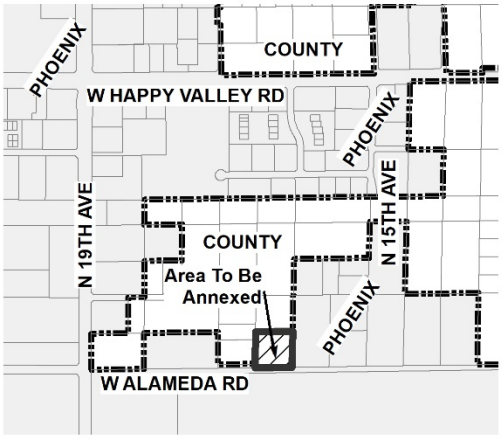
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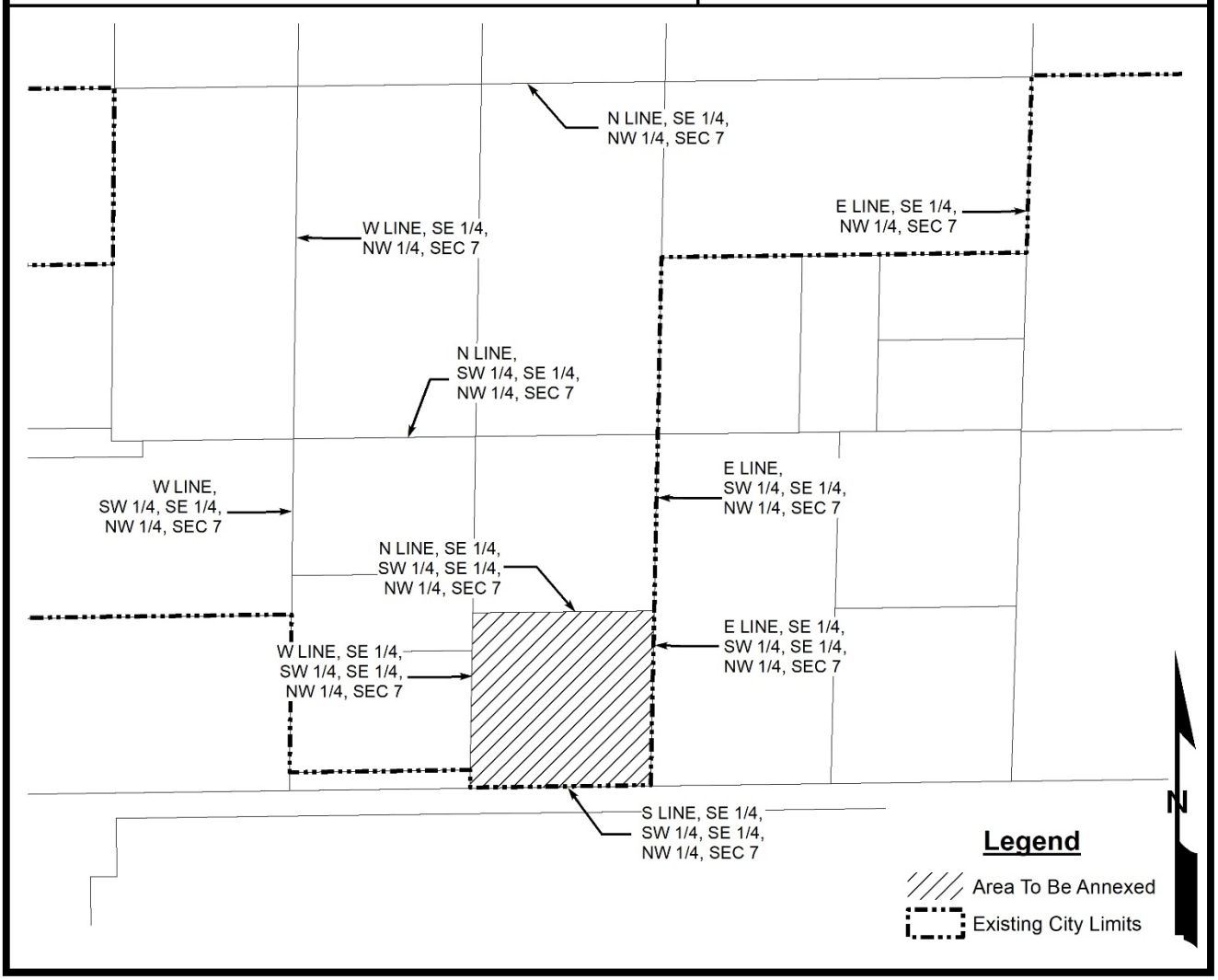
SECTION 7 T. 4 N., R. 3 E.,
G. & S. R. B. & M.

ANNEXATION NUMBER: XXX

AREA IN SQUARE MILES
0.0037

VICINITY MAP





City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 48

Proposed Newcomb Annexation (Ordinance S-50069)

Request City Council authorization to extend and increase the corporate limits of the City of Phoenix, Ariz., by annexing an area not within the present limits of the City of Phoenix, designated as the Newcomb Annexation. Further request to authorize current Maricopa County zoning to continue in effect until municipal zoning is applied to the annexed territory.

Summary

The annexation was requested by Clark Diepholz, for the purpose of receiving City of Phoenix services. The proposed annexation conforms to current City policies and complies with Arizona Revised Statutes section 9-471 regarding annexation. The City Clerk Department has received signed petitions representing 100 percent of the assessed value and 100 percent of the owners, excluding utilities, within the proposed annexation area.

Public Outreach

A public hearing was conducted on March 22, 2023, to allow the City Council to gather community comment regarding the annexation proposal. Notification of the public hearing was published in the Arizona Business Gazette newspaper, and posted in at least three conspicuous places in the territory proposed to be annexed. Also, notice by first-class mail was sent to each property owner in the area proposed to be annexed.

Location

The proposed annexation area includes Maricopa County Assessor parcel 210-07-006A and 210-07-032A located at 19th Avenue and Alameda Road (**Attachment A**). The annexation area is approximately 4.68 acres (0.0073 sq. mi.) and the population estimate is zero individuals.

Council District: 1

Responsible Department

This item is submitted by Deputy City Manager Ginger Spencer and the City Clerk Department.

ANNEXATION MAP

NEWCOMB

City of Phoenix

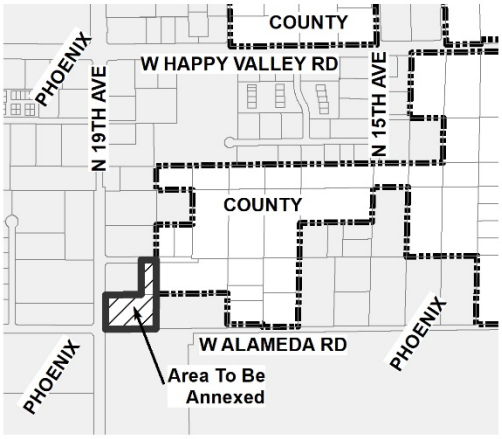
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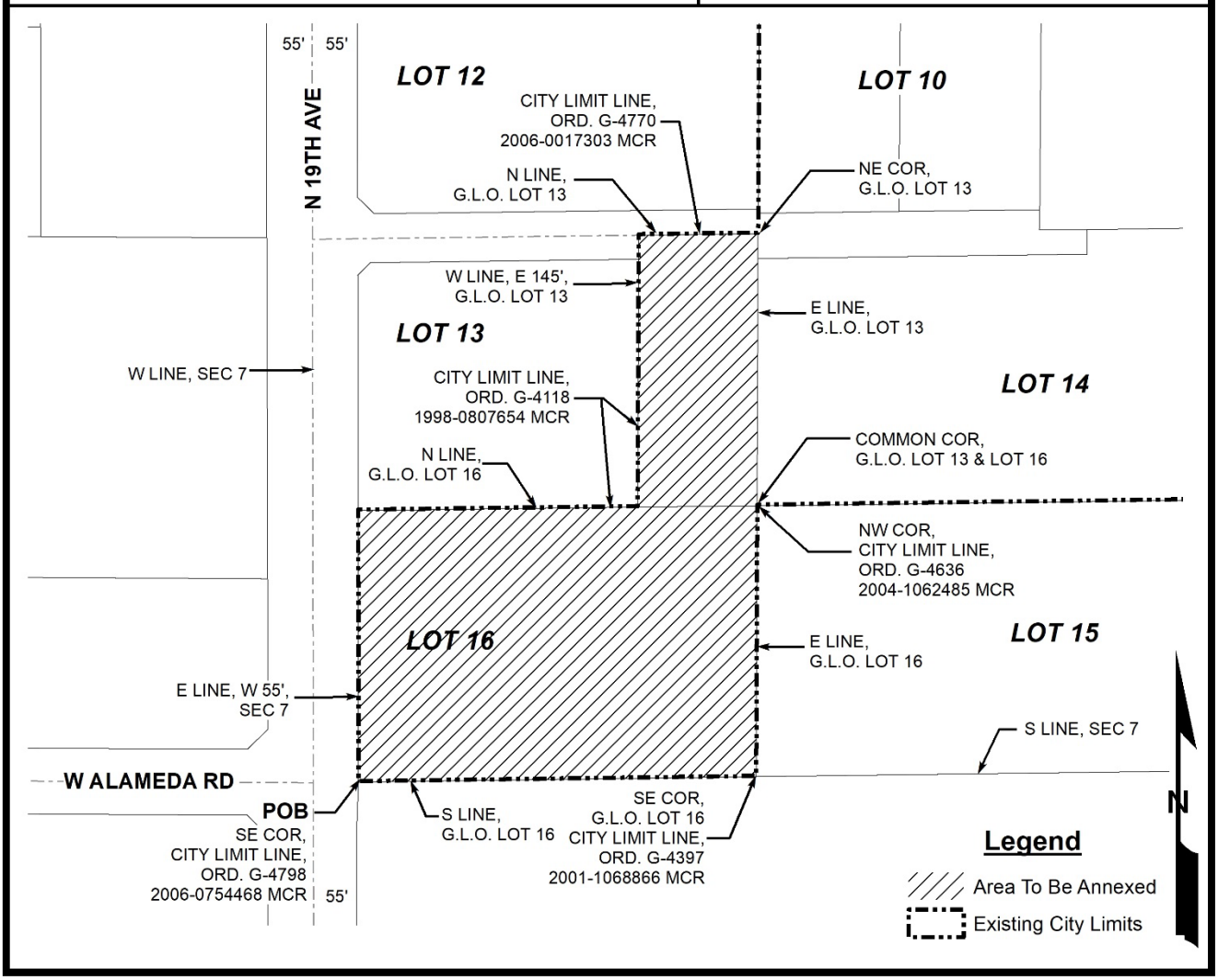
SECTION 7 T. 4 N., R. 3 E.,
G. & S. R. B. & M.

ANNEXATION NUMBER: XXX

AREA IN SQUARE MILES
0.0073

VICINITY MAP





City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 49

Acceptance and Dedication of a Deed and Easements for Roadway, Sidewalk and Public Utility Purposes (Ordinance S-50044)

Request for the City Council to accept and dedicate a deed and easements for roadway, sidewalk and public utility purposes; further ordering the ordinance recorded.

Summary

Accepting the property interests below meets the Planning and Development Department's Single Instrument Dedication Process requirement prior to releasing any permits to applicants.

Deed (a)
Applicant: Britmet Ventures, LLC, its successor and assigns
Purpose: Roadway
Location: 2825 W. Dove Valley Road
File: FN 230031
Council District: 2

Easement (b)
Applicant: RealEstate Capital Investments, LLC, its successor and assigns
Purpose: Public Utility
Location: 2440 W. Morten Ave.
File: FN 230040
Council District: 5

Easement (c)
Applicant: 5544 Thomas Land, LLC, its successor and assigns
Purpose: Sidewalk
Location: 5544 E. Thomas Road
File: FN 230041
Council District: 6

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development and Finance departments.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 50

Acceptance of Easements for Water and Drainage Purposes (Ordinance S-50045)

Request for the City Council to accept easements for water and drainage purposes; further ordering the ordinance recorded.

Summary

Accepting the property interest below meets the Planning and Development Department's Single Instrument Dedication Process requirement prior to releasing any permits to applicants.

Easement (a)
Applicant: Ryan Companies US, Inc., through Arizona State Land Lease Numbers 03-110953-99 and 03-122704-99; its successor and assigns
Purpose: Drainage
Location: 2335 and 2415 W. Corporate Center Drive
File: FN 220001
Council District: 1

Easement (b)
Applicant: Britmet Ventures, L.L.C.; its successor and assigns
Purpose: Water
Location: 2825 W. Dove Valley Road
File: FN 230031
Council District: 2

Easement (c)
Applicant: Cold Springs, LLC; its successor and assigns
Purpose: Water
Location: S. 59th and W. Olney avenues
File: FN 230033
Council District: 7

Easement (d)
Applicant: LCG2i Laveen, LLC; its successor and assigns
Purpose: Water

Location: 6262 W. Elliot Road
File: FN 230038
Council District: 7

Easement (e)
Applicant: LCG2i Laveen II, LLC; its successor and assigns
Purpose: Water
Location: 6363 W. Olney Ave.
File: FN 230038
Council District: 7

Easement (f)
Applicant: Prologis, L.P.; its successor and assigns
Purpose: Drainage
Location: S. 11th Street and E. Gibson Lane
File: FN 230037
Council District: 8

Easement (g)
Applicant: South Mountain 25, LLC; its successor and assigns
Purpose: Drainage
Location: 909, 913, 917, 921, 925, 929, 933, 937, 941, 945, 949, 953 and 957 E. Desert Lane
File: FN 230026
Council District: 8

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development and Finance departments.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 51

Dedication of Right-of-Way for Roadway Purposes and Easements for Public Utility and Multi-Use Trail Purposes within City-Owned Property Along the North Side of West Lower Buckeye Road, West of South 91st Avenue (Ordinance S-50046)

Request for the City Council to dedicate right-of-way to public use for roadway purposes and easements to public use for public utility and multi-use trail purposes within City-owned property along the north side of West Lower Buckeye Road, west of South 91st Avenue, for Fire Station 62; further ordering the ordinance recorded.

Summary
The right-of-way and easement dedications are final plat stipulations required by the Planning and Development Department, Project 21-5714, for construction of Fire Station 62. The Fire Department will maintain the multi-use trail.

The dedications along the north side of West Lower Buckeye Road, west of South 91st Avenue, are more fully described in the legal descriptions to be recorded with the ordinance.

Location
Along the north side of West Lower Buckeye Road, west of South 91st Avenue, within Maricopa County Assessor parcel number 101-14-005G.
Council District: 7

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development and Finance departments.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 52

Electronic Invoice Auditing Contract - EXC 23-016 - Request for Award (Ordinance S-50047)

Request to authorize the City Manager, or his designee, to enter into a contract with Mitratech Holding, Inc., to provide ongoing electronic billing system and ancillary services such as data storage, service and maintenance for the Law Department. Further request an exception to the indemnity and assumption of liability of provision Phoenix City Code 42-18. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $192,000.

Summary

This contract will provide a web-based electronic billing and audit system that will assist in auditing invoices from outside law firms. In addition, it will integrate with the ProLaw case management system and Risk Management's STARS system. The outside counsel firms pay a yearly subscription fee to Mitratech in order to submit invoices electronically with the City. This electronic billing system allows the City to pay invoices within 10 days and receive a 2 percent discount on fees from the subscribing firms.

This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information

In accordance with Administrative Regulation 3.10, a waiver was requested since the system was customized to be integrated with the Law Department's ProLaw case management solution software and Risk Management's STARS system. It is in the best interest of the City to continue services with Mitratech, as the investment in programming and interface has already been made. It would not be cost effective to change providers which would require all new programming and integration with existing systems.

Contract Term

The contract will begin on or about July 1, 2023, for a five-year term with no options to extend.

Financial Impact
The aggregate contract value for will not exceed $192,000 for the five-year aggregate term. Funding is available from the Self-Insurance Retention Trust.

Responsible Department
This item is submitted by City Manager Jeffrey Barton and the Law Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 53

Document Shredding and Destruction Services - Citywide Contract - IFB 23-043 - Request for Award (Ordinance S-50051)

Request to authorize the City Manager, or his designee, to enter into contracts with Valley Shredding, LLC, dba PROShred, and Assured Document Destruction, Inc., to provide document shredding and destruction services Citywide. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $625,000.

Summary
This contract will provide secured document shredding and destruction services on-site and off-site Citywide, to safeguard Personal Identifiable Information (PII).

Procurement Information
An Invitation for Bid procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Three vendors submitted bids deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendors:

Selected Bidders
Valley Shredding, LLC, dba PROShred
Assured Document Destruction, Inc.

Contract Term
The contracts will begin on or about Aug. 1, 2023, for a five-year term with no options to extend.

Financial Impact
The aggregate contracts value will not exceed $625,000. Funding is available in various departments' budgets.

Responsible Department
This item is submitted by City Manager Jeffrey Barton and the Finance Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 54

Technology Services for the Regional Wireless Cooperative Network Contract - EXC 23-122 - Request for Award (Ordinance S-50056)

Request to authorize the City Manager, or his designee, to enter into a contract with Motorola Solutions, Inc., to provide technology services for the Regional Wireless Cooperative network for the Office of Government Relations. Further request an exception to the indemnity and assumption of liability provisions of Phoenix City Code section 42-18. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $891,624.

Summary

This contract will provide technical services in the form of consulting, engineering, and integration to support the Regional Wireless Cooperative's (RWC) ASTRO 25 network mandated connectivity migration from legacy T1 (digital carrier signal) lines to Ethernet capable links. The Motorola System Upgrade Agreement II (SUA II) bi-annual upgrades cannot continue to move forward until the network is fully Ethernet capable. The obsolete T1 lines will not be able to receive the system updates thus halting further upgrades. All 23 members which are made up of cities and other government agencies rely upon the RWC's radio and data communications system to provide region-wide effective radio communication for public safety first responders across the Phoenix Metropolitan and Central Arizona region. Not proceeding with this Ethernet migration could subject the system to degraded service, equipment failures, system outages, and potentially impact public safety.

This item has been reviewed and approved by the Information Technology Services Department.

Procurement Information

In accordance with Administrative Regulation 3.10, standard competition was waived as a result of an approved determination memo, this product being sole source. Since the system architecture and software are proprietary to Motorola, they are the only vendor that can provide the executive cutover services without disruption risks and ensure that the network connectivity is unified with the Master Sites. Pursuing an outside vendor would lead to lack of warranty coverage and no other vendor can provide the 360-degree view of the network.

Contract Term
The contract will begin on or about July 4, 2023, for a five-year term with no options to extend.

Financial Impact
The aggregate contract value will not exceed $891,624 for the five-year aggregate term, of which $477,547 is Phoenix specific and is already budgeted for Fiscal Year 2023-24 across all user departments. The remaining balance has been included in all other RWC member budgets.

Responsible Department
This item is submitted by City Manager Jeffrey Barton and the Office of Government Relations.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 55

Phoenix.Gov Redesign, Implementation and Ongoing Support Services Contract - RFP 23-025 - Request for Award (Ordinance S-50057)

Request to authorize the City Manager, or his designee, to enter into a contract with J.R. Reingold & Associates, Inc. to provide services related to the redesign and implementation of the Phoenix.Gov website including ongoing support services for the Information Technology Services Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $3,000,000.

Summary

This contract will provide services related to the modernization and implementation of a new Phoenix.Gov website. The goal is to create a redesigned website that meets the wants and needs of users by providing relevant and timely information in a modern, inclusive manner. The new website will serve as the primary resource for residents, businesses, and tourists, offering a trustworthy, easy-to-navigate, and informative experience. The purchase is necessary to enhance user satisfaction, improve the website's security, integration with other systems, and overall optimization to support the City's audiences effectively.

Procurement Information

A Request for Proposal procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

Twelve vendors submitted proposals deemed responsive and responsible. An evaluation committee of City staff evaluated those offers based on the following criteria with a maximum possible point total of 1,000.

- Oral Presentations (0-550);
- Method of Approach (0-200 points);
- Experience and Qualifications (0-150 points); and
- Price (0-100 points).

After reaching consensus, the evaluation committee recommends award to the following vendor:

- J.R. Reingold & Associates, Inc., total score of 808.75 points.

Contract Term
The contract will begin on or about Aug. 1, 2023, for a five-year term with no options to extend.

Financial Impact
The aggregate contract value will not exceed $3,000,000.

Funding is available in the Information Technology Services Department's operating budget.

Responsible Department
This item is submitted by Deputy City Manager Inger Erickson and the Information Technology Services Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 56

Landscape Services - Citywide - RFP 22-108 - Amendment (Ordinance S-50060)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 156429 with Legends Landscape Management, Inc. to amend contract to assigned vendor, Top Gun Pressure Washing, LLC dba Tendit Group LLC. Further request to authorize the City Controller to disburse all funds related to this item. No additional funds are needed as the request is to continue using Ordinance S-48679.

Summary
This contract will provide landscaping services for locations across the Phoenix metropolitan service area. On May 1, 2023, Legends assigned its assets, payables, receivables, and contracts to Top Gun Pressure Washing, LLC dba Tendit Group LLC. Approval is requested to amend this contract accordingly and continue receiving landscaping services from Top Gun Pressure Washing, LLC dba Tendit Group LLC.

Contract Term
The contract term remains unchanged, ending on May 31, 2027.

Financial Impact
The aggregate value of the contract will not exceed $17,000,000 and no additional funds are needed.

Concurrence/Previous Council Action
The City Council previously approved this request:
• Landscape Services - Citywide - Contract 156429, Contract 156428, Contract 156404, and Contract 156446 (Ordinance S-48679) on June 1, 2022.

Responsible Department
This item is submitted by City Manager Jeffrey Barton and the Finance Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 57

Automatic Gates - Maintenance and Repair Contract - IFB 23-098 - Request for Award (Ordinance S-50062)

Request to authorize the City Manager, or his designee, to enter into a contract with Phoenix Fence Company to provide automatic gate supplies, maintenance, and repair for citywide departments. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contract will not exceed $2,500,000.

Summary
This contract will provide repair, maintenance, and supplies for automatic gates for citywide departments. The City of Phoenix depends on gates in its daily operation and security of functions. Based on past usage of the previous contract, the Fire, Parks and Recreation, Phoenix Convention Center, Public Works, and Water Services departments are expected to utilize this contract more frequently.

Procurement Information
An Invitation for Bid procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.

One vendor submitted a bid deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on price, the procurement officer recommends award to the following vendor:

Selected Bidder
Phoenix Fence Company

Contract Term
The contract will begin on or about July 15, 2023, for a five-year term with no options to extend.

Financial Impact
The aggregate contract value will not exceed $2,500,000 for the five-year aggregate term. Funding is available in various departments' budgets.

Responsible Department

This item is submitted by City Manager Jeffrey Barton and the Finance Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 58

Tohono O'odham Nation Gaming Grants (Ordinance S-50070)

Request to authorize the City Manager, or his designee, to accept, and as awarded, to enter into related agreements for up to $77,100 in new funding from the Tohono O'odham Nation under the 2022 funding cycle. Further request authorization for the City Treasurer to accept, and the City Controller to disburse, funds as directed by the Tohono O'odham Nation in connection with these grants.

Summary

These monies would be applied, as directed by the Tohono O'odham Nation towards the following:

Non-Profit Applications

- Arizona Centers for Comprehensive Education and Life Skills (ACCEL): $10,000 for an adaptive learning program.
- Furnishing Dignity: $7,500 for a home furnishing program.
- one.n.ten: $10,500 for a youth center.
- Veterans Medical Leadership Council (VMLC) Charities: $20,000 for the Returning Warrior program.
- Waste Not: $5,000 for the Feeding Children and Youth in Maricopa County program.
- Planned Parenthood: $24,100 for a health care center.

The gaming compact entered into by the State of Arizona and various tribes calls for 12 percent of gaming revenue to be contributed to cities, towns, and counties for government services that benefit the general public including public safety, mitigation of impacts, and promotion of commerce and economic development. The Tohono O'odham Nation will notify the City, by grant-in-aid agreement, of the Tribal Council's decision, if it desires to convey to the City or local nonprofits a portion of its annual 12 percent local revenue-sharing contribution.

Financial Impact

There is no budgetary impact to the City and no general funds are required. Entities that receive gaming grants are responsible for the management of those funds.

Responsible Department

This item is submitted by City Manager Jeffrey Barton and the Office of Government Relations.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 59

Fiscal Year 2023-28 Public Art Plan (Ordinance S-50040)

Request approval of the Phoenix Office of Arts and Culture's Fiscal Year (FY) 2023-28 Public Art Plan.

Summary

The Phoenix Office of Arts and Culture (POAC) was established in 1985 to champion and sustain the City's arts and culture community, making Phoenix a great place to live, work, and visit. POAC manages the City's public art program, which is funded through the percent-for-art ordinance that City Council adopted in December 1986. The ordinance requires one percent of Capital Improvement Program funds to be invested in enhancing the design and experience of public infrastructure, buildings, and spaces through public art.

The percent-for-art ordinance requires POAC, upon the recommendation of the Phoenix Arts and Culture Commission, to submit an annual Five-Year Public Art Plan before each new fiscal year. The Plan is developed by POAC staff in consultation with City departments, City Council offices, and community groups. Public art projects must be sited at or near capital improvement projects.

The $19,903,205 Plan includes 42 public art projects funded over the next five years **(Attachment A)**. This total includes 30 continuing and 12 new projects. The public art projects within the Plan are prioritized based on opportunities to integrate artwork into individual Capital Improvement Program projects and their potential impact on the neighborhood and the broader arts community. Under these parameters, the Plan focuses on the equitable distribution of funds, as allowable by the percent-for-art ordinance, and the diversification of the public art collection through broadening the types of project opportunities and continued outreach to new artists and arts organizations.

Other Information

The proposed 2023 Five-Year Public Art Plan included a total of $19,903,205. This is $4,030,982 higher than the previous year's plan. Of the 42 projects outlined in the Plan, eight address major retrofits or refurbishments, six support broader citywide initiatives like heat mitigation, and three are a component of long-ranged planning

efforts like Rio Reimagined.

Additionally, public involvement is critical to the success of public art projects. Neighborhood organizations, village planning committees, schools, and City departments are included as important participants throughout the public art process. POAC develops each project with the community in mind and works to provide ample opportunities for feedback and collaboration.

Concurrence/Previous Council Action
The Phoenix Arts and Culture Commission reviewed and approved the FY 2023-28 Public Art Plan at its May 9, 2023 meeting by a vote of 9-0. The item was reviewed and approved by the Community and Cultural Investment Subcommittee at their June 7, 2023 meeting by a vote of 4-0.

Responsible Department
This item is submitted by Deputy City Manager Inger Erickson and the Office of Arts and Culture.

arts + culture
CITY OF PHOENIX

PHOENIX OFFICE OF ARTS AND CULTURE FY 2023-2028 PUBLIC ART PLAN



phoenix.gov/arts

Cover Artwork

Top Left:
Neighborhood Vista by Jeff Zischke
Well Site 156 (63rd Ave and Osborn Rd)
Council District 7
Dedicated May 2022

Top Right:
Phoenix Lights/Phoenix Rising by Susan Logoreci
Phoenix Sky Harbor International Airport, T4 South Bridge Connector
Council District 8
Dedicated June 2022

Bottom:
Welcome to Phoenix by Kayla Newnam
Adams Street Parking Garage
Council District 7
Dedicated January 2023

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Introduction

The Phoenix Office of Arts and Culture champions, promotes, and supports the City's arts and culture community to make Phoenix a great place to live, work, and visit.

The Phoenix Office of Arts and Culture (POAC) is a local and national leader in the public art field and has garnered numerous awards for design excellence, including Design for Transportation awards from the U.S. Department of Transportation and Public Art Network Year in Review awards from Americans for the Arts.

Established in 1986, the Public Art Program works with local, national, and international artists to create a more beautiful and vibrant city. By ordinance, one percent of the Capital Improvement Program is utilized to enhance the design of public buildings, infrastructure, and spaces within the City of Phoenix. Since its inception, the program has completed more than 200 major projects, including airport terminals, community centers, streetscapes, parks, canals, transit centers, bridges, underpasses, recycling centers, and public safety buildings.

A competitive procurement process identifies artists for public art projects. The process utilizes a selection panel containing art and design professionals, project stakeholders, and community representatives relevant to the project's location. City staff and project team members often serve as non-voting advisors to the panel. Panelists are responsible for reviewing applications submitted in response to a Call to Artists, interviewing finalists, and making recommendations to the Arts and Culture Commission, a volunteer citizen advisory board appointed by City Council. The quality of work, suitability for the project, and the ability to work well with the community and other design professionals influence the selection panel's final recommendations. The Phoenix City Council approves the final recommendation before the contract is executed and artists begin work.

POAC develops the FY 2023-2028 Public Art Plan annually with input and assistance from the Mayor and City Council, city residents, artists, city departments that provide public art project funding, and the Phoenix Arts and Culture Commission. The timing of the plan coincides with the annual Capital Improvement Program budgeted per fiscal year (July 1 – June 30; for example, FY 2022-2023 = July 2022 – June 2023). The plan outlines several project types, including design team projects, permanent commissions, purchases of existing artwork, temporary commissions, art refurbishment and retrofits, and master planning. Overhead costs to administer the projects in the plan, including staff costs, are approximately 10% of the total five-year budget.

Goals

Public art projects within the FY 2023-2028 Public Art Plan are prioritized based on opportunities to integrate artwork into individual Capital Improvement Program projects and their potential impact on the neighborhood and the broader arts community. These decisions are made closely with funding departments and City Council offices. Under these parameters, the FY 2023-2028 Public Art Plan focuses on the equitable distribution of funds, as allowable by the percent-for-art ordinance, and the diversification of the public art collection through broadening the types of project opportunities and continued outreach to new artists and arts organizations.

Additionally, POAC strives to develop project opportunities and program policies that align with strategic goals outlined in several long-range planning documents, like the Climate Action Plan and the Phoenix General Plan. Some of these efforts are realized through the FY 2023-2028 Public Art Plan, like promoting the use of sustainable materials and sourcing methods to commissioned artists and proactively seeking community input on project opportunities. As the FY 2023-2028 Public Art Plan is implemented, POAC will continue integrating these important citywide goals.

For more information about the Phoenix Office of Arts and Culture and the Public Art Program, visit www.pheonix.gov/arts.

CAPITAL IMPROVEMENT PROGRAM PROJECTS

**Phoenix Sky Harbor International Airport (PSHIA) Sky Train Phase II –
Rental Car Center Station
Council District 8**

The artist team of Roberto Behar and Rosario Marquardt (FL) was contracted to work with the Aviation Department and its Gannett Fleming/Hensel Phelps project team to design two protective weather fences for this new Sky Train station platform. Each fence runs approximately 260 feet along the north and south sides of the station and is inspired by the changing colors of the Phoenix sky. This project was dedicated in December 2022.



**PSHIA Sky Train Phase II – Rental Car Center Station
Council District 8**

Artist Bill Dambrova (AZ) was contracted to work with the Aviation Department and its Gannett Fleming/Hensel Phelps project team to design a terrazzo floor for this new Sky Train station. Titled *From the Earth to the Sky*, the design is inspired by the human curiosity of Earth and what lies beyond. Many terrazzo materials and aggregates are from shells, fossils, etc. This project was dedicated in December 2022.



PSHIA Sky Train Phase II – 24th Street Station
Council District 8

Artist Frank Gonzales (AZ) was contracted to work with the Aviation Department and its Gannett Fleming/Hensel Phelps project team to design a terrazzo floor for this new Sky Train station. The design, called *Sonoran Essence*, spans more than 8,000 square feet and magnifies small details within the native Sonoran Desert, including native plants. This project was dedicated in December 2022.

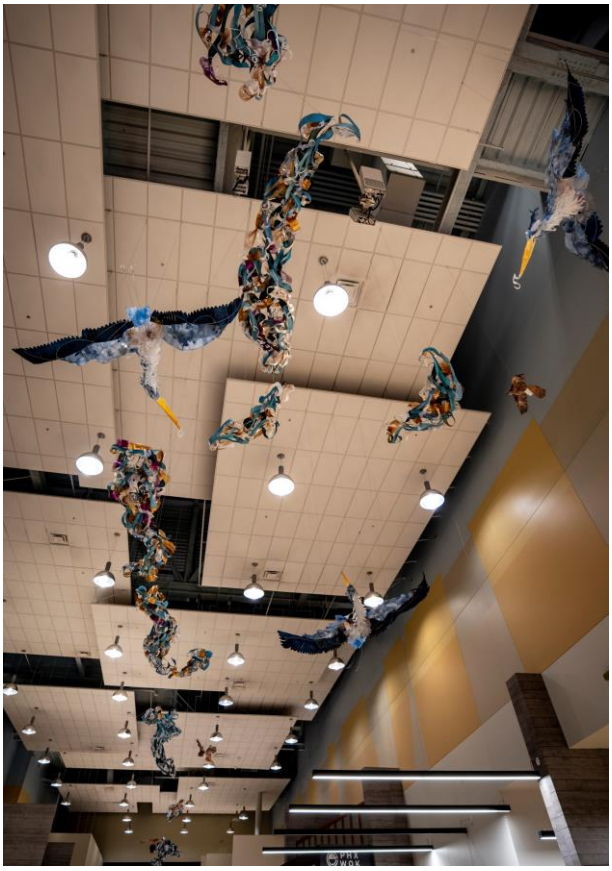


PSHIA Terminal 3 Modernization
Council District 8

Flower Tree by Matt Wedel (OH) is a monumental ceramic sculpture nearly 6 feet tall and weighs more than a ton. Featuring expressive plant forms on a vertical plinth, the artwork's vibrant pinks, reds, and yellows enrich the flourishing desert garden area. It is located in the sculpture garden accessible from Terminal 3.



Phoenix Convention Center/27th Avenue Solid Waste Management Facility
Council Districts 7, 8



Artist Katharine Leigh Simpson (AZ) was commissioned to create artwork to increase recycling and resource management awareness by introducing new ways to reuse materials. The artwork, titled *Flowing Alchemy*, was installed in January 2023 at the Phoenix Convention Center, where it greeted thousands of visitors. In the spring of 2024, the artwork will move to its permanent home at the 27th Avenue Solid Waste Management Facility.



EXTERNAL PARTNERSHIP PROJECTS

sunBLOCK heat awareness campaign
National Endowment for the Arts grant





POAC worked with Arizona State University heat researchers to develop Spanish and English versions of a heat awareness booklet that was distributed city-wide and available online. Arizona artists were also contracted to create designs for heat mitigating personal umbrellas to improve pedestrian and transit comfort. These projects were coordinated with city-wide efforts to raise awareness about and reduce the impact of urban heat.

Fry's Food Stores
Council District 1

POAC staff worked with Fry's Food Stores to integrate an indoor mural at the entrance of a new North Norterra Parkway store. The mural, titled *The Palo Verde Tree* by artist Kenneth Keene (AZ), celebrates the unique spirit and identity of the store's community and surroundings. This project was dedicated in October 2022.



Welcome to Phoenix Mural
American Rescue Plan Act funds
Council District 7

POAC partnered with Artlink Inc, Downtown Phoenix Inc., and the Phoenix Convention Center to commission artist Kayla Newnam (AZ) to create a 190'L x 10'H mural on Adams Street, near the entrance of the Phoenix Convention Center. The temporary mural will be installed through spring 2026 as it greets thousands of visitors to several major sporting events to be hosted in Phoenix. In December 2022, Newman hosted two Community Paint Days, where the public was invited to help paint the mural. This project was dedicated in January 2023.





From left to right: Councilmember Laura Pastor; Spike, Super Bowl LVII mascot; Mayor Kate Gallego; Arts and Culture Director Mitch Menchaca; artist Kayla Newnam; Devney Preuss Marley, Downtown Phoenix Inc; Catrina Kahler, Artlink Inc.

Isaac Street Bus Shelters
Completed in 2008; Repaired in 2022
Council District 4

Contractors were hired to repair and replace mosaic tiles, replace lighting fixtures, and thoroughly clean this well-used bus stop by artist Leticia Huerta (TX). The work was completed in July 2022.





Art is the Guaranty of Sanity
Phoenix Convention Center
Completed in 2006; Refurbished in 2022
Council District 7

Louise Bourgeois' (NY) monumental 90-foot-tall sculpture includes LED lighting to reflect the title of the artwork, "Art is Guaranty of Sanity" in a stainless-steel mirror. Its mirror face is fractured into patterns that Bourgeois derived from a drawing of a spider web, a recurring theme in her work. The LED bulbs were replaced to restore the lighting to the intensity the artist intended.

7th Avenue Streetscape
Completed in 2004; Repaired in 2023
Council District 4

The shade structures and lightboxes are now in their 11th iteration since the project was completed in 2004. The current artwork on display in the lightboxes includes designs for heat mitigating personal umbrellas by 14 Arizona artists and heat awareness messaging. The artwork was developed as part of the sunBLOCK heat awareness project that is aligned with COP Summer Heat Safety Initiatives. Lighting upgrades and new plexiglass covers for the lightboxes were also installed as part of this refurbishment project which was completed in March 2023.



National Terrazzo & Mosaic Association – Judges Award
Phoenix Sky Harbor International Airport
Sky Train Stations (Rental Car Center and 24th Street)
Sonoran Essence by Frank Gonzalez (AZ) and *From the Earth to the Sky* by Bill Dambrova (AZ)





Arizona Forward Environmental Excellence Awards – Art in Public Places Crescordia Award
Inactive Well Site, Maryvale
A Time Machine Called Tinaja by Bobby Zokaites (AZ)





(Organized by Project Number)

Project Number	**AR39000003**
Project Title	**SR 51: *Wall Cycle to Ocotillo***
Location	**SR 51 from McDowell Rd. to Bethany Home Rd.**
Type of Project	**Refurbishment and Retrofit**
Funding Sources	**Street Transportation Capital Funds**
Budget	**$50,000**
Council District	**4, 6, 8**

Artists and contractors will complete major retrofits to Wall Cycle to Ocotillo, a public art project by Mags Harries and Lajos Heder completed in 1992. The work requires major renovations due to exposure to the elements and damage by vandals. The project in in the construction phase.

Project Number	**AR63000025**
Project Title	**7th Avenue Streetscape**
Location	**7th Ave. at Glenrosa St.**
Type of Project	**Refurbishment and Retrofit; Temporary Commissions**
Funding Sources	**Public Works and Street Transportation Capital Funds**
Budget	**$25,000**
Council District	**4**

This ongoing project features temporary artwork by a selection of visual artists and poets based in Arizona. The artwork is displayed in three double-sided, back-lighted canopied shelters at 7th Ave. and Glenrosa St. The project has featured more than 30 Arizona artists and more than 25 poets since it was initiated in FY 2004.

Project Number	**AR63000030**
Project Title	**North 32nd Street and Drought Pipeline Neighborhood Improvements**
Location	**Pipeline Corridor, from Cheryl Dr. to Cholla St.**
Type of Project	**Design Team and Permanent Commission**
Funding Sources	**Street Transportation and Water Capital Funds**
Budget	**$895,464**
Council District	**3**

Artist Bobby Zokaites (AZ) was contracted to work with the community, Street Transportation and Water Services, to integrate public art elements into the North 32nd Street corridor design between Cheryl Drive Blvd. and Cholla St. following the Drought Pipeline improvements. This project is in the design phase.

Project Number **AR63000032**
Project Title **Shade, Cooling, and Heat Mitigation**
Location **Various**
Type of Project **Design Team, Permanent and Temporary Commissions**
Funding Sources **Street Transportation and Water Capital Funds**
Budget **$522,041**
Council District **Citywide**

Artists will be contracted to work with various City Departments to enhance the pedestrian experience as part of the City's heat mitigation initiatives. These projects are in the planning and design phases.

Project Number **AR63850019**
Project Title **Van Buren Street Improvement**
Location **From 7th St. to 24th St.**
Type of Project **Permanent Commission**
Funding Source **Street Transportation, Water, and Wastewater Capital Funds**
Budget **$500,000**
Council District **8**

An artist will be contracted to work with the community, Street Transportation and Public Transit to create artwork to improve the pedestrian experience. The enhancements will be coordinated with City efforts to upgrade ADA, pedestrian and transit connectivity, and comfort in the project area. This project is in the planning phase.

Project Number **AR63850020**
Project Title **SR 51: *Our Shared Environment***
Location **SR 51 at Thomas Rd. (underpass)**
Type of Project **Refurbishments and Retrofits**
Funding Source **Street Transportation Capital Funds**
Budget **$394,265**
Council District **4**

Artists and contractors will assess, and complete refurbishments of the adobe wall panels integrated into the underpass at SR 51 and Thomas Rd. Portions of the panels, which were produced through a collaboration between artist Marilyn Zwak (AZ) and community residents in 1990, have been damaged by vandals and exposure to the elements. This project is in the planning phase.

Project Number **AR63850021**
Project Title **State Road 303 (NEW)**
Location **Lake Pleasant Parkway to I-17 Interchange**
Type of Project **Design Team and Permanent Commission**
Funding Source **Street Transportation Capital Funds**
Budget **$293,961**
Council District **1**

In partnership with Maricopa Association of Governments and AZ Department of Transportation, the City will complete State Road 303 from Lake Pleasant to the I-17 interchange. Project opportunities include four new ramps/bridges that will be built over existing roads, the 67th Avenue interchange, and the Lake Pleasant Parkway interchange. One or more artists will be commissioned to work with the design team to incorporate permanent public art to enhance the roadway improvements. This project is in the planning phase.

Project Number	**AR63850022**
Project Title	**McDowell Road Revitalization Project (NEW)**
Location	**McDowell Rd, between 7th St. and SR 51**
Type of Project	**Permanent Commission**
Funding Source	**Street Transportation, Water and Wastewater Capital Funds**
Budget	**$724,857**
Council District	**4**

The City is in the early planning stages of a project to revitalize the McDowell Road corridor between 7th Street and State Route 51. The focus of this study is to identify and confirm community-supported safety and aesthetic improvements to achieve four main goals: creating a safer and more inviting area for people walking or riding bicycles to locations along the corridor; improving navigation in and around the retail areas; enhancing access to transit; and fostering a sense of place and identity. An artist will be commissioned to work create artwork in support of these goals. This project is in the planning phase.

Project Number	**AR66000021**
Project Title	**Portable Works**
Location	**Phoenix Sky Harbor International Airport**
Type of Project	**Purchase of Existing Artwork, Temporary Commissions**
Funding Source	**Aviation Capital Funds**
Budget	**$180,778**
Council District	**8**

Artworks will be commissioned and purchased to support the Phoenix Airport Museum collection. The Museum’s collection presents themed exhibitions in more than 40 display areas throughout the Airport system. The artwork enhances the visitor's experience by creating a memorable environment, promoting Arizona’s unique artistic and cultural heritage, and honoring the airport's aviation history. These projects are in the planning phases.

Project Number	**AR66000047**
Project Title	**Pooled Funds (NEW)**
Location	**Phoenix Sky Harbor International Airport**
Type of Project	**Design Team and Permanent Commissions**
Funding Source	**Aviation Capital Funds**
Budget	**$607,797**
Council District	**8**

Funds remaining from previously completed public art projects at the airport have been pooled to create a new opportunity to support the ongoing modernization of the terminals. Specific locations and scopes of work will be developed in partnership with the Aviation Department. This project is in the planning phase.

Project Number	**AR70160001**
Project Title	**27th Avenue Solid Waste Management Facility**
Location	**3060 S. 27th Ave. (at Lower Buckeye Rd.)**
Type of Project	**Temporary and Permanent Commission**
Funding Source	**Solid Waste Capital Funds**
Budget	**$115,936**
Council District	**7,8**

Artist Katharine Leigh Simpson (AZ) was contracted to create artwork from materials commonly found in the City's recycling stream. The work is installed at the Phoenix Convention Center and will be reinstalled at its permanent location at the 27th Avenue Solid Waste Management Facility in the summer of 2024.

Project Number	**AR70160004**
Project Title	**Public Works Community Projects**
Location	**Various**
Type of Project	**Temporary Commissions**
Funding Sources	**Solid Waste Capital Funds**
Budget	**$144,532**
Council District	**Citywide**

Artists will be contracted to integrate temporary projects into capital improvements in Public Works facilities that will connect the community with the circular economy concepts and bolster City efforts to increase awareness about recycling and resource management. This project is in the planning phase.

Project Number	**AR70160005**
Project Title	**305 West Washington Street**
Location	**West Washington St. and 3rd Ave.**
Type of Project	**Permanent Commission**
Funding Sources	**Water Capital Funds**
Budget	**$148,305**
Council District	**7**

An artist will be selected to create artwork that improves the appearance of 305 West Washington Building. This project is in the planning phase.

Project Number **AR74000014**
Project Title **Artist Initiatives**
Location **Various Sites**
Type of Project **Temporary Commissions**
Funding Sources **Water Capital Funds**
Budget **$550,663**
Council District **Citywide**

This program supports creating and presenting original, new, or in-process temporary work by practicing Phoenix artists. Awarded artists must complete a public presentation inside city boundaries that primarily benefits Phoenix residents. Awards are given to artists who activate public buildings and spaces with various artistic installations, performances, and media. This program is on-going.

Project Number **AR74000017**
Project Title **Civic Space Park: *Her Secret is Patience***
Location **Civic Space Park at 1st Ave. and Taylor St.**
Type of Project **Refurbishments and Retrofits**
Funding Sources **Parks Capital Funds**
Budget **$77,262**
Council District **7**

Contractors will be hired to replace existing lighting with more efficient LED fixtures for the park's award-winning landmark sculpture, *Her Secret is Patience* by Janet Echelman (MA), which was installed in 2006. This project is in the construction phase.

Project Number **AR74000019**
Project Title **Mountain Preserve Enhancements**
Location **South Mountain Park and Preserve**
Type of Project **Design Team, Permanent and Temporary Commissions**
Funding Sources **Parks and Water Capital Funds**
Budget **$831,867**
Council District **8**

National and local artists will be commissioned to create permanent and temporary artwork to commemorate the park's 100-year anniversary in 2024. Artists may also be selected to participate in the project's design team to integrate interpretive elements into the overall design. This project is in the planning phase.

Project Number **AR74000020**
Project Title **Eastlake Park**
Location **1549 E. Jefferson St.**
Type of Project **Permanent Commission**
Funding Sources **Parks and Water Capital Funds**
Budget **$528,297**
Council District **8**

An artist will be contracted to integrate public art for the community pool improvements at Eastlake Park. This project is in the planning phase and will utilize artists from the Pre-Qualified Roster for City Parks.

Project Number	**AR74000022**
Project Title	**Roosevelt Street Improvement Project: *Shadow Play* (NEW)**
Location	**Roosevelt Street between First and Fourth Streets**
Type of Project	**Refurbishments and Retrofits**
Funding Source	**Water Capital Funds**
Budget	**$225,000**
Council District	**7**

A contractor will be hired to repaint this functional artwork by Meejin Yoon (MA). The project was completed in 2015 and sees heavy use from pedestrians and transit riders. This project is in the planning phase.

Project Number	**AR74000023**
Project Title	**Reach 11 Sports Complex: *The Wings* (NEW)**
Location	**2425 E Deer Valley Dr.**
Type of Project	**Refurbishments and Retrofits**
Funding Source	**Parks and Water Capital Funds**
Budget	**$293,007**
Council District	**2**

Contractors will be hired to repaint this functional artwork by Yang Chyi Lee (WA). The project was completed in 2012 and sees heavy use from park users. This project is in the planning phase.

Project Number	**AR74000026**
Project Title	**Laveen Heritage Park (NEW)**
Location	**6925 W. Meadows Loop**
Type of Project	**Design Team and Permanent Commission**
Funding Source	**Parks and Wastewater Capital Funds**
Budget	**$460,000**
Council District	**7**

An artist will be selected to work with the project design team to enhance the new Laveen Heritage Park. The project is in the planning phase.

Project Number	**AR740000028**
Project Title	**Lone Mountain Park (NEW)**
Location	**North 56th St & East Montgomery Rd**
Type of Project	**Design Team and Permanent Commission**
Funding Source	**Parks and Water Capital Funds**
Budget	**$450,588**
Council District	**2**

An artist will be selected to work with the project design team to enhance Lone Mountain Park. The project is in the planning phase.

Project Number	**AR74000029**
Project Title	**Rio Salado Bike/Pedestrian Bridge (NEW)**
Location	**Rio Salado at 3rd Street**
Type of Project	**Design Team**
Funding Source	**Parks and Water Capital Funds**
Budget	**$250,000**
Council District	**8**

This project will provide a comfortable, low-stress connection for residents walking or riding bicycles from downtown Phoenix to or across the Rio Salado and was assigned high priority for the South Downtown Neighborhoods Mobility Study Area. An artist will be commissioned to work with the design team to integrate artwork into the bridge design to enhance the bike and pedestrian experience. This project is in the planning phase.

Project Number	**AR74000030**
Project Title	**Lookout Mountain Park: *Desert Passages* (NEW)**
Location	**14441 N 18th St, Phoenix, AZ 85022**
Type of Project	**Refurbishments and Retrofits**
Funding Source	**Parks and Wastewater Capital Funds**
Budget	**$120,000**
Council District	**3**

A contractor will be hired to repair elements of Desert Passages by Roger Asay and Rebecca Davis (AZ). The project was completed in 1990 and will be restored to the original design, in collaboration with the Parks and Recreation Department and the artists. This project is in the planning phase.

Project Number	**AR76000004**
Project Title	**100 West Washington Building**
Location	**West Washington St. and 1st Ave.**
Type of Project	**Permanent Commission**
Funding Sources	**Revenue Obligations Funds**
Budget	**$1,240,000**
Council District	**7**

Artist Maria Salinger of Jones Studio, Inc (AZ) was contracted to work with the design team to improve the security and appearance of 100 West Washington building, and adjacent areas, which will be the new Phoenix Police Department Headquarters. This project is in the design phase.

Project Number **AR84850019**
Project Title **Arizona Falls: *Waterworks***
Location **Arizona Canal at 58th St.**
Type of Project **Refurbishments and Retrofits**
Funding Source **Water Capital Funds**
Budget **$105,000**
Council District **6**

Major safety features, such as security lighting, drainage, and fencing, will be upgraded as part of improvements to the site. The project is in the planning phase.

Project Number **AR84850033**
Project Title **Water Services West Yard**
Location **North 47th Ave. and West Camelback Rd.**
Type of Project **Design Team and Permanent Commission**
Funding Sources **Wastewater and Street Transportation Capital Funds**
Budget **$50,000**
Council District **5**

An artist will be contracted to work with Water Services and its project team to add enhancements to publicly accessible areas of the planned West Yard Facility and Customer Service Center. This project is currently on hold.

Project Number **AR84850035**
Project Title **Community Well Site Gates and Fences**
Location **Various**
Type of Project **Design Team Commission**
Funding Sources **Water Capital Funds**
Budget **$463,549**
Council District **Citywide**

Artists will be commissioned to work with the Water Services Department to enhance the design of security gates and fences at Water facilities. This project is ongoing.

Project Number **AR84850036**
Project Title **Cortez Park and Well Site**
Location **35th Ave. and Arizona Canal**
Type of Project **Design Team and Permanent Commission**
Funding Sources **Water Capital Funds**
Budget **$606,570**
Council District **1**

Artist John Randall Nelson (AZ) is working with Water, Parks and Neighborhood Services to design enhancements to improve the safety and security of this Aquifer Storage and Recovery well site and surrounding public spaces along the Arizona Canal and Cortez Park. This project is in the design phase.

Project Number **AR84850037**
Project Title **Drought Pipeline Walls and Fences**
Location **20th St. and Northview Ave. – Maryland Ave. and 22nd St.**
Type of Project **Design Team and Permanent Commission**
Funding Sources **Water and Wastewater Capital Funds**
2023-27 Budget **$445,065**
Council District **6**

Artist Mary Shindell (AZ), working with the Water Services engineering team and the community, designed two walls being built as a part of the Drought Pipeline Relocation Project. One wall will be located along 20th Street at Northview Avenue, the second along Maryland Avenue near 22nd Street. This project is in the construction phase.

Project Number **AR84850038**
Project Title **Maryvale Grand Canal Crossing**
Location **Grand Canal and 51st Ave.**
Type of Project **Permanent Commission**
Funding Sources **Water Capital Funds**
Budget **$686,904**
Council District **5**

Reinaldo Correra Studio, LLC, (IA) has been contracted to work with City departments and the community to enhance the design of the Grand Canal trail and crossing near 51st Ave. in Maryvale. This project is in the design phase.

Project Number **AR84850039**
Project Title **Perry Park**
Location **2700 N. 32nd St.**
Type of Project **Design Team and Permanent Commission**
Funding Sources **Water Capital Funds**
Budget **$788,094**
Council District **8**

Artist Lisa Bernal Brethour (AZ) was contracted to work with the Parks Department and the community to enhance the experience of Perry Park, with particular focus on the skate park. This project is in the fabrication phase.

Project Number **AR84850040**
Project Title **El Reposo Park**
Location **502 East Alta Vista Rd.**
Type of Project **Permanent Commission**
Funding Sources **Water and Wastewater Capital Funds**
Budget **$246,158**
Council District **7**

Due to new construction, a previously completed artwork titled *Bloomcanopy* by Matter Architecture Practice (NY) is proposed to be relocated and integrated into the landscape at El Reposo Park. The project is in the planning phase.

Project Number	**AR84850041**
Project Title	**Sueño Park**
Location	**4401 West Encanto Blvd.**
Type of Project	**Permanent Commission**
Funding Sources	**Water Capital Funds**
Budget	**$577,222**
Council District	**4**

An artist will be contracted to work with Parks and the community to enhance the experience of Sueño Park. This project is in the planning phase and will utilize artists from the Pre-Qualified Roster for City Parks.

Project Number	**AR84850042**
Project Title	**Paradise Valley Park**
Location	**17642 North 40th St.**
Type of Project	**Permanent Commission**
Funding Sources	**Water Capital Funds**
Budget	**$546,132**
Council District	**2**

An artist will be commissioned to work with the Parks Department and the community to enhance the experience of Paradise Valley Park. This project is in the planning phase and will utilize artists from the Pre-Qualified Roster for City Parks.

Project Number	**AR84850043**
Project Title	**Solano Park**
Location	**5625 N. 17th Ave.**
Type of Project	**Permanent Commission**
Funding Sources	**Parks and Water Capital Funds**
Budget	**$503,219**
Council District	**5**

Artist team Tom Drugan and Laura Haddad (WA) have been contracted to integrate public art at Solano Park improvements, with a particular focus on the skate park. This project is in the design phase.

Project Number	**AR84850044**
Project Title	**Western Canalscape**
Location	**Western Canal, 4th Avenue to 24th Street**
Type of Project	**Purchase of Existing Artwork**
Funding Sources	**Water Capital Funds**
Budget	**$680,305**
Council District	**7, 8**

Existing three-dimensional artwork will be purchased from one or more artists for placement along the Western Canal at 20th Street. This project is in the artist selection phase.

Project Number	**AR84850045**
Project Title	**Collaborative Neighborhood Projects**
Location	**Various**
Type of Project	**Temporary and Permanent Commissions, Purchase of Existing Artwork**
Funding Sources	**Water and Wastewater Capital Funds**
Budget	**$579,570**
Council District	**Citywide**

Artists will be selected to work directly with neighborhood and business associations to enhance parks, business corridors, and other community amenities. These projects are in the planning phase.

Project Number	**AR84900010**
Project Title	**Tres Rios Wetlands**
Location	**91st Ave. and Baseline Rd.**
Type of Project	**Design Team and Permanent Commission**
Funding Source	**Wastewater Capital Funds**
Budget	**$1,800,000**
Council District	**7**

Artist Adam Kuby (OR) was contracted to work with a design team, City departments, consultants, and the community to create significant recreation and environmental education experiences as part of this multi-year effort to improve the seven-mile, 1,500-acre wetland at the confluence of the Salt and Gila Rivers in southwestern Phoenix. Kuby and the team have designed raptor towers, viewing areas, paths, and demonstration gardens in the wetlands. This project is in the design phase.

Project Number	**AR84900011**
Project Title	**Lift Stations and Neighborhood Facilities**
Location	**Citywide**
Type of Project	**Permanent Commission**
Funding Source	**Wastewater Capital Funds**
Budget	**$520,827**
Council District	**Citywide**

Artists will be contracted to work with City consultants to enhance or upgrade the design of new or existing lift stations and other neighborhood facilities essential to the City's wastewater collection system. In addition to wall enhancements, the projects may include upgraded landscaping, security fencing, and other features. This project is in the planning phase.

Project Number	**AR84900014**
Project Title	**Surrey Park**
Location	**3835 West Joan De Arc Ave.**
Type of Project	**Site Specific**
Funding Sources	**Wastewater Capital Funds**
Budget	**$550,000**
Council District	**1**

An artist will be commissioned to work with Parks and the community to enhance the experience of Surrey Park. This project is in the planning phase and will utilize artists from the Pre-Qualified Roster for City Parks.

Project Number	**AR84900015**
Project Title	**Rio Reimagined**
Location	**7th St. to 7th Ave.**
Type of Project	**Design Team, Temporary and Permanent Commissions**
Funding Source	**Wastewater Capital Funds**
Budget	**$625,000**
Council District	**7,8**

The Rio Reimagined Project is a vision to revitalize the Rio Salado (Salt River), Aqua Fria, and Gila Rivers, and the region by transforming over 45 miles of the river stretching from the Salt River Pima Maricopa Indian Community at the eastern most boundary to the City of Buckeye to the west and encompassing more than 78,000 acres. Artists will be selected at several phases of the project to engage the community and design permanent and temporary artwork to enhance the visitor experience. This project is in the planning phase.

Project Number	**AR849000016**
Project Title	**Deer Valley Water Treatment Plant**
Location	**31st Ave. and Dunlap Ave.**
Type of Project	**Design Team and Permanent Commission**
Funding Source	**Wastewater Capital Funds**
Budget	**$500,000**
Council District	**1**

An artist will be selected to work with the project design team to enhance the Deer Valley Water Treatment Plant. The project is in the planning phase.

FY 2023-2028 Multi-Year Initiatives

Completing the following projects requires significant funding resources over the next five fiscal years. Funding for the planning and implementation of these projects is included in the FY 2023-2028 Public Art Plan. Funding of all projects is subject to City Council approval through future plans.

Artist Initiatives
On-going temporary installations provide crucial professional development opportunities for emerging artists and those new to public art. Temporary installations can also activate underutilized spaces and provide neighborhoods new ways to engage with artists.

Collaborative Neighborhood Projects
Artists will be selected to work directly with neighborhood and business associations, such as theHUB (Hatcher Urban Businesses) and the Roosevelt Action Association, to enhance parks, business corridors, and other community amenities. These enhancements foster community collaborations and external partnerships that expand the reach of the public art program.

Community Water Facilities Improvements
Over the years, multiple artists have been contracted to work with the community and the Water Services Department to improve the security and appearance of community water facilities citywide, including well sites and lift stations.

Phoenix Sky Harbor International Airport
Phoenix Sky Harbor International Airport's future terminal modernizations represent the City's most significant opportunity to reach the widest public with integrated public art and design. PSHIA handles more than 40 million passengers annually. POAC staff continue to work with Aviation staff and its design teams to carry out a comprehensive plan to integrate significant art and design to enhance travelers' experience. Projects will be implemented in step with the airport modernization phases.

Public Works Recycling and Sustainability Initiative
POAC has worked with the Public Works Department since 1990 to involve artists in the design of innovative recycling centers, and in building awareness of the need for recycling and sustainable resource management. Artists will be contracted to create artworks that expand awareness about recycling and sustainable resource management by introducing new ways to reuse materials and bolster City efforts to increase recycling citywide.

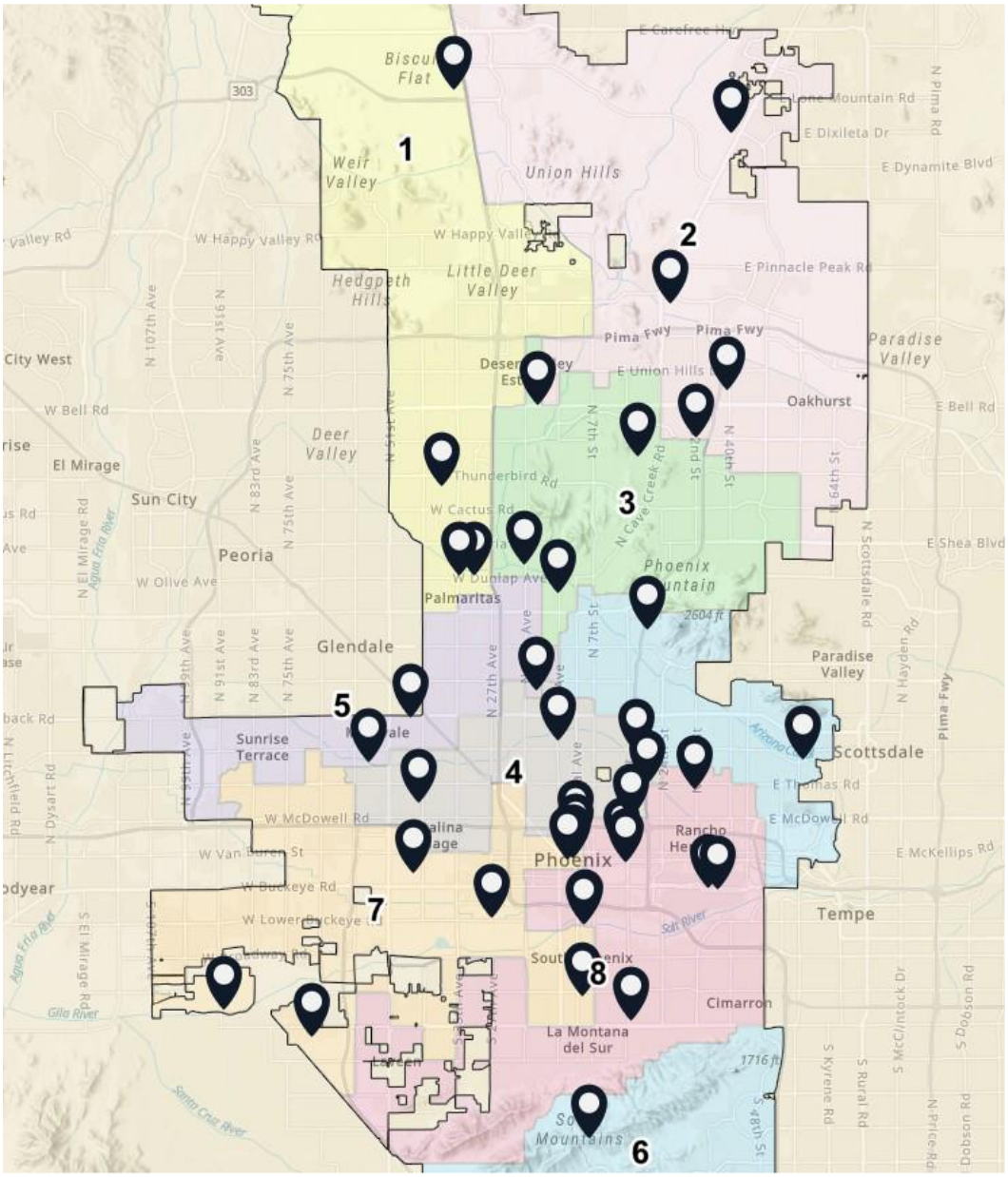
Rio Reimagined
Rio Reimagined is the Valley's more impactful green infrastructure project in a century. Rio Salado, or the Salt River, is a historically significant and underutilized natural resource reimagined as a unifying public space. A creative and collective effort is underway to integrate priorities of public open space, environmental quality, housing, transportation, economic and workforce development, community sustainability, and resilience. POAC staff work with the Planning Department to identify and integrate permanent and temporary public art opportunities.

Shade, Cooling, and Heat Mitigation
Artists will be contracted to work with the community and various City departments to enhance the pedestrian experience by increasing shade options and improving shaded connectivity. The enhancements will be coordinated with City efforts to reduce the impact of urban heat and improve mobility citywide through initiatives like Cool Corridors.

Tres Rios Wetlands
Artist Adam Kuby has been contracted to work with City departments, consultants and the community to create significant environmental recreation and education opportunities at Tres Rios Wetlands. This project is part of this multi-year effort to improve the seven-mile, 1,500-acre wetland at the confluence of the Salt and Gila Rivers in southwestern Phoenix.

FY 2023-2028 Public Art Plan Summary and Map

Number of New Projects	**12**	**$9,629,750**
Number of Continuing Projects	**30**	**$14,773,485**
Total Funded Projects	**42**	**$19,903,205**



Locations of new projects in the FY 2023-2028 Public Art Plan. The map does not include city-wide initiatives that will occur in various locations.

		2023-24 Final - Plan	2024-25 Final - Plan	2025-26 Final - Plan	2026-27 Final - Plan	2027-28 Final - Plan	Five Year Total
AR39000003 - SR51 Wall Cycle to Ocotillo Refurbishment							
2051	Transportation Tax 2050-Streets	50,000	0	0	0	0	50000
		50000	**0**	**0**	**0**	**0**	**50000**
AR63000025 - 7th Avenue Streetscape							
0007	AZ Highway Users - 30% - Street Imp.	0	0	0	0	0	0
68031	SWD Equipment Facilities Bonds	25,000	0	0	0	0	25000
		25000	**0**	**0**	**0**	**0**	**25000**
AR63000030 - North 32nd Street Improvements							
0007	AZ Highway Users - 30% - Street Imp.	80,000	0	0	0	0	80000
1021	Capital Construction	102,637	0	0	0	0	102637
1739	2022 Water Commercial Paper Prog	312,827	400,000	0	0	0	712827
		495464	**400000**	**0**	**0**	**0**	**895464**
AR63000032 - Shade, Cooling, and Heat Mitigation							
0007	AZ Highway Users - 30% - Street Imp.	222,041	0	0	0	0	222041
1739	2022 Water Commercial Paper Prog	0	150,000	150,000	0	0	300000
2051	Transportation Tax 2050-Streets	0	0	0	0	0	0
		222041	**150000**	**150000**	**0**	**0**	**522041**
AR63850019 - Van Buren Street Improvement Project							
0007	AZ Highway Users - 30% - Street Imp.	150,000	0	0	0	0	150000
0090	Wastewater Revenue	100,000	100,000				200000
1739	2022 Water Commercial Paper Prog	0	150,000	0	0	0	150000
		150000	**150000**	**0**	**0**	**0**	**500000**
AR63850020 - SR51 Our Shared Environment Refurbishment							
0007	AZ Highway Users - 30% - Street Imp.	95,763	60,000	0	0	0	155763
2051	Transportation Tax 2050-Streets	108,770	129,732	0	0	0	238502
		204533	**189732**	**0**	**0**	**0**	**394265**
AR63850021 - State Road 303							
0007	AZ Highway Users - 30% - Street Imp.	293,961	0	0	0	0	293,961
		293961	**0**	**0**	**0**	**0**	**293,961**

AR63850022 - McDowell Rd Revitalization Project							
0007	AZ Highway Users - 30% - Street Imp.	50,000	100,000	0	0	0	150000
0090	Wastewater Revenue	50,000	300,000	0	0	0	350000
1739	2022 Water Commercial Paper Prog	50,000	57,441	0	0	0	107441
2050	Transportation Tax 2050-Transit	117,416	0	0	0	0	117416
		267416	**457441**	**0**	**0**	**0**	**724857**
AR66000021 - PSHIA Portable Works							
0042	Aviation Improvement	29,491	0	0	0	0	29491
1731	2019A CFC Bond	0	0	0	151,287	0	151287
		29491	**0**	**0**	**151287**	**0**	**180778**
AR66000047 - PSHIA Pooled Funds							
1732	2019B Airport Revenue Bonds	57,797	550,000	0	0	0	607797
		57797	**550000**	**0**	**0**	**0**	**607797**
AR70160001 - 27th Ave Solid Waste Management Facility							
0037	Solid Waste Disposal-Operating	30,876	0	0	0	0	30876
68031	SWD Equipment Facilities Bonds	85,060	0	0	0	0	85060
		115936	**0**	**0**	**0**	**0**	**115936**
AR70160004 - Public Works Community Public Art Project							
0037	Solid Waste Disposal-Operating	0	24,532	0	0	0	24532
68031	SWD Equipment Facilities Bonds	0	120,000	0	0	0	120000
		0	**144532**	**0**	**0**	**0**	**144532**
AR70160005 - 305 W Washington Public Art Project							
1739	2022 Water Commercial Paper Prog	148,305	0	0	0	0	148305
		148305	**0**	**0**	**0**	**0**	**148305**
AR74000014 - Artists Initiatives							
0051	Water Revenue	150,663	115,000	100,000	185,000	0	550663
1739	2022 Water Commercial Paper Prog	0	0	0	0	0	0
		150663	**115000**	**100000**	**185000**	**0**	**550663**
AR74000017 - Civic Space Park Refurbishment							
0024	Sports Facilities	27,280	0	0	0	0	27280
1022	Parks and Preserves Initiative SRF	49,982	0	0	0	0	49982
		77262	**0**	**0**	**0**	**0**	**77262**
AR74000019 - Mountain Preserve Enhancements							
1437	PPPI 40% Mtn & Desert Preserves	200,072	0	0	0	0	200072
1739	2022 Water Commercial Paper Prog	381,795	250,000	0	0	0	631795
		581867	**250000**	**0**	**0**	**0**	**831867**

AR74000020 - Eastlake Park							
0051	Water Revenue	151,260	200,000	0	0	0	351260
1022	Parks and Preserves Initiative SRF	10,000	0	0	0	0	10000
1739	2022 Water Commercial Paper Prog	167,037	0	0	0	0	167037
		338297	**200000**	**0**	**0**	**0**	**528297**
AR74000022 - Shadow Play Refurbishment							
0051	Water Revenue	225,000	0	0	0	0	225000
		225000	**0**	**0**	**0**	**0**	**225000**
AR74000023 - Reach 11 Park Refurbishment							
0051	Water Revenue	0	225,000	0	0	0	225000
1022	Parks and Preserves Initiative SRF	0	68,007	0	0	0	68007
		0	**293007**	**0**	**0**	**0**	**293007**
AR74000026 - Laveen Heritage Park							
0090	Wastewater Revenue	190,000	150,000	100,000	0	0	440000
1022	Parks and Preserves Initiative SRF	20,000	0	0	0	0	20000
		210000	**150000**	**100000**	**0**	**0**	**460000**
AR74000028 - Lone Mountain Park							
0051	Water Revenue	70,000	230,000	100,000	0	0	400000
1437	PPPI 40% Mtn & Desert Preserves	50,588	0	0	0	0	50588
		120558	**230000**	**100000**	**0**	**0**	**450558**
AR74000029 - Rio Salado Bike/Ped. Bridge							
1022	Parks and Preserves Initiative SRF	10,000	0	0	0	0	10000
1739	2022 Water Commercial Paper Prog	90,000	100,000	50,000	0	0	240000
		100000	**100000**	**50000**	**0**	**0**	**250000**
AR74000030 - Lookout Mtn. Park Refurbishment							
1022	Parks and Preserves Initiative SRF	20,000	0	0	0	0	20000
1739	2022 Water Commercial Paper Prog	100,000	0	0	0	0	100000
		120000	**0**	**0**	**0**	**0**	**120000**
AR76000004 - 100 W Washington							
68033	Ex Tax Rev Obligations 2021 Tax-Exempt	0	0	0	0	0	0
68036	Ex Tax Rev Bond 2022 Tax-Exempt	1,000,000	240,000	0	0	0	1240000
		1000000	**240000**	**0**	**0**	**0**	**1240000**
AR84850019 - Arizona Falls Refurbishment							
1739	2022 Water Commercial Paper Prog	105,000	0	0	0	0	105000
		105000	**0**	**0**	**0**	**0**	**105000**

AR84850033 - Water Services West Yard							
0007	AZ Highway Users - 30% - Street Imp.	0	0	0	0	0	0
0090	Wastewater Revenue	50,000	0	0	0	0	50000
		50000	**0**	**0**	**0**	**0**	**50000**
AR84850035 - Community Well Site Gates and Fences							
1739	2022 Water Commercial Paper Prog	62,622	200,927	200,000	0	0	463549
		62622	**200927**	**200000**	**0**	**0**	**463549**
AR84850036 - Cortez Park and Well Site							
1739	2022 Water Commercial Paper Prog	406,570	200,000	0	0	0	606570
		406570	**200000**	**0**	**0**	**0**	**606570**
AR84850037 - Drought Pipeline and Fences							
0090	Wastewater Revenue	0	100,000	0	0	0	100000
1739	2022 Water Commercial Paper Prog	345,065	0	0	0	0	345065
		345065	**100000**	**0**	**0**	**0**	**445065**
AR84850038 - Maryvale Grand Canal Crossing							
1739	2022 Water Commercial Paper Prog	486,904	200,000	0	0	0	686904
		486904	**200000**	**0**	**0**	**0**	**686904**
AR84850039 - Perry Park							
0051	Water Revenue	266,540	0	0	0	0	266540
1739	2022 Water Commercial Paper Prog	521,554	0	0	0	0	521554
		788094	**0**	**0**	**0**	**0**	**788094**
AR84850040 - El Reposo Park							
0051	Water Revenue	46,158	0	0	0	0	46158
0090	Wastewater Revenue	0	50,000	0	0	0	50000
1739	2022 Water Commercial Paper Prog	150,000	0	0	0	0	150000
		196158	**50000**	**0**	**0**	**0**	**246158**
AR84850041 - Sueno Park							
0051	Water Revenue	366,700	0	0	0	0	366700
1739	2022 Water Commercial Paper Prog	10,522	200,000	0	0	0	210522
		377222	**200000**	**0**	**0**	**0**	**577222**
AR84850042 - Paradise Valley Park							
0051	Water Revenue	100,000	100,000	0	0	0	200000
1739	2022 Water Commercial Paper Prog	146,132	200,000	0	0	0	346132
		246132	**300000**	**0**	**0**	**0**	**546132**

AR84850043 - Solano Park							
1739	2022 Water Commercial Paper Prog	503,219	0	0	0	0	503219
		503219	**0**	**0**	**0**	**0**	**503219**
AR84850044 - Western Canalscape							
0051	Water Revenue	150,000	342,000	0	0	0	492000
1739	2022 Water Commercial Paper Prog	188,305	0	0	0	0	188305
		338305	**342000**	**0**	**0**	**0**	**680305**
AR84850045 - Collaborative Neighborhood Projects							
0051	Water Revenue	75,000	59,570	0	100,000	0	184570
0090	Wastewater Revenue	75,000	100,000	120,000	50,000	0	360000
		150000	**159570**	**120000**	**150000**	**0**	**579570**
AR84900010 - Tres Rios Wetlands							
0090	Wastewater Revenue	50,000	250,000	1,500,000	0	0	1800000
		50000	**250000**	**1500000**	**0**	**0**	**1800000**
AR84900011 - Lift Station and Neighborhood Facilities							
0090	Wastewater Revenue	0	170,827	200,000	150,000	0	520827
		0	**170827**	**200000**	**150000**	**0**	**520827**
AR84900014 - Surrey Park							
0090	Wastewater Revenue	200,000	200,000	150,000	0	0	550000
		200000	**200000**	**150000**	**0**	**0**	**550000**
AR84900015 - Rio Reimagined							
0090	Wastewater Revenue	50,000	200,000	200,000	175,000	0	625000
		50000	**200000**	**200000**	**175000**	**0**	**625000**
AR84900016 - Deer Valley Water Treatment Plant							
0090	Wastewater Revenue	100,000	200,000	200,000	0	0	500000
		100000	**200000**	**200000**	**0**	**0**	**500000**
Total							**19,903,205**

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 60

Fiscal Year 2024 Community Arts Support Grant Allocations (Ordinance S-50059)

Request to authorize the City Manager, or his designee, to execute all necessary agreements between the Phoenix Office of Arts and Culture (POAC) and approved applicants for Fiscal Year (FY) 2023-24 General Support Program and Project Support Program grants in an aggregate amount of $1,450,346, as well as $225,000 for the Rental Support Program. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The annual Community Arts Grants Program invests in nonprofit art and cultural organizations and groups to strengthen the community's access to cultural programming. Applications for the Community Arts Grants Program opened mid-February and were due April 3, 2023. Staff held multiple virtual orientations and met with prospective applicants to discuss questions about eligibility, what makes a competitive application, and the review and approval process. One hundred and thirteen applications were received, 110 were determined eligible for review by panels comprising laypersons, artists, arts professionals, and educators to ensure a thorough and unbiased review, and then scored for funding.

Through the agency's equity strategy, the POAC ensures outreach to all city areas and targets applicants from all disciplines, budget sizes, underrepresented populations, and City Council districts. Every year we see an increase in orientation and meeting participants, applicants, and applicants awarded. There is a ten percent increase in eligible applications from FY 2023 to FY 2024.

The Community Arts Grants Program includes three grant categories:

General Support Grants (GSG) provide core operating support to arts and cultural organizations of all sizes that have a primary mission to create, produce, or provide arts and cultural programming to enhance the quality of lives for Phoenix residents. All GSG applicants are required to have a prior year income of at least $4,000 and complete a full application to be reviewed by a grants panel.

GSG Goals

- Support arts and cultural opportunities among residents of all ages through education and outreach programs and opportunities for personal artistic expression and participation.
- Encourage broad-based, community-wide participation in arts and cultural activities resulting from diverse programming accessible to all residents.
- Sustain a community of organizations that are responsibly governed and managed, financially sound, and assist organizations that have reached a critical stage in artistic or institutional development by encouraging the identification of internal needs critical to the sustainability or growth of the organization.

Project Support Grants (PSG) promote and encourage the breadth of arts and cultural programming in our community by supporting large and small projects throughout the City of Phoenix. The program supports guest artist fees/expenses, production fees, and marketing expenses for arts and culture projects that engage Phoenix residents, including but not limited to art workshops, pop-up performances, and collaborations with artists. All PSG applicants must complete a full application to be reviewed by a grants panel.

PSG Goals

- Support arts and cultural projects across the City of Phoenix, especially artistic collaborations with full representation from all persons at the intersection of any age, race, culture, class, religion, sex, national origin, ability, sexual orientation, gender identity, or expression.
- Fund projects that support the artistic and cultural work of young people or projects which introduce youth to arts and culture in the City of Phoenix.
- Invest in projects that support and celebrate individual artists impacting the community.

The **Rental Support Program** (RSP), which had been on hiatus due to the COVID-19 pandemic, provides facility rental and security support to those cultural organizations that help revitalize the Phoenix downtown corridor through their presentations at the Herberger Theater Center, the Orpheum Theatre, and Phoenix Symphony Hall. POAC administers RSP in partnership with the Phoenix Convention Center that funds the program. Only organizations that have successfully applied and been awarded a GSG or PSG application may be considered for this program. RSP is unlike other funding, where applicants are to “make the case” for support. An organization’s merit is already verified through the annual review process for the GSG and PSG programs.

Fiscal Year 2024 Recommendations and Allocations

The Community Arts Grants Program has a total budget of $1,450,346 from the General Fund and $225,000 from the Phoenix Convention Center, which includes a one-time allocation of $100,000 to offset new security protocols at the Orpheum Theatre and Symphony Hall **(Attachment A)**. Of the $1,450,346, GSG and PSG funding totaling $1,380,346 is allocated for 108 grants to 108 applicants (two out of the 110 applications scored too low by the review panel and not recommended for funding). The remaining $70,000 is allocated for twenty grants of $3,500 each in two subsequent special PSG cycles (Flash Grants) to artists and arts and culture organizations to present programming in under-invested areas in the city to ensure greater equitable geographic distributions of grant funding. The last Flash Grant cycle in FY 2023 yielded 14 grants, funding one project in Council District 1, six in District 3, and seven in Council District 5. Ultimately, FY 2024 General Fund dollars will yield 128 grant awards.

GSG applicants do not make specific funding requests. A review panel reviews like-sized budgeted organizations. Organizations receive award allocations determined by the ranking it receives in the panel. PSG applicants can receive up to $5,000 to fund their proposed project. POAC will work with the Phoenix Convention Center in the summer on the review and calculations of the RSP funding.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and approved the FY 2023-24 Community Arts Grants Program allocation recommendations at its meeting on June 13, 2023.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Office of Arts and Culture.

Attachment A

FY24 Community Arts Grants

Allocations of all Categories

Program	FY24 Applications	FY24 Awards	FY24 Recommended Allocations
Project Support Grants	38	36	$ 152,750
General Support Grants	72	72	$ 1,227,596
Phoenix Flash Grants	TBD	20	$ 70,000
Rental Support Program	TBD	TBD	$ 225,000
TOTAL	**110**	**108**	**$ 1,675,346**

Project Support Grant Allocations

Applicant	Council District	Project Type	Allocation
African Association of Arizona	5	Festivals	$ 4,000
Arab American Festival	4	Festivals	$ 4,000
Arizona LGBT+ History Project	4	Arts Instruction	$ 4,500
Arizona Matsuri	5	Festivals	$ 3,750
B3 Theater	8	Exhibitions/Performances	$ 4,750
Black River Life Media	6	Exhibitions/Performances	$ 4,500
Cahokia	8	Festivals	$ 5,000
Convergence Ballet Company	6	Arts Instruction	$ 4,750
Cultural Arts Coalition Celebrating Global Connections	7	Arts Instruction	$ 5,000
Desert Marigold School	8	Arts Instruction	$ 4,500
Driftwood Quintet	8	Exhibitions/Performances	$ 5,000
Estomago de Oro	8	Arts Instruction	$ 4,500
FEXAM Media	4	Festivals	$ 3,500
Fuerte Art Collective	7	Arts Instruction	$ 4,250
Hatcher Road Business Alliance	3	Festivals	$ 3,250
India Association	6	Festivals	$ 4,750
Indo-American Cultural Connect	6	Exhibitions/Performances	$ 4,000
Latina Dance Project	7	Exhibitions/Performances	$ 4,000
Maurice C. Cash Elementary School	7	Arts Instruction	$ 4,750
Movement Source	6	Arts Instruction	$ 2,250
Phoenix Blues Society	4	Festivals	$ 3,250
Phoenix Chinese Week	4	Festivals	$ 4,500
S'edav Va'aki Museum Auxiliary	8	Festivals	$ 4,250
Silambam Phoenix	3	Exhibitions/Performances	$ 4,750
Silvestre S Herrera School	8	Arts Instruction	$ 5,000
Skyes The Limit Foundation	7	Arts Instruction	$ 4,500
Snoodmen	7	Festivals	$ 4,500
Soul West Fest Foundation	4	Festivals	$ 3,250
Southbound Art House	8	Arts Instruction	$ 5,000
Teatro Bravo	8	Exhibitions/Performances	$ 4,250
The Arizona Informant Foundation	8	Festivals	$ 4,250
The Pachanga Collective	8	Exhibitions/Performances	$ 4,750
The Sacred G's	6	Exhibitions/Performances	$ 2,250
Third Space Dance Project	8	Exhibitions/Performances	$ 5,000
We The Carriers	8	Festivals	$ 4,000
Young Sounds of Arizona	4	Arts Instruction	$ 4,250
		TOTAL	**$ 152,750**

General Support Grant Allocations

Applicant	Council District	Budget Size	Allocation
Act One	4	$900K - $3M	$ 20,500
Almost Famous Theatre Company Foundation	4	$150K - <$400K	$ 8,000
Alwun House Foundation	8	$4K - <$150K	$ 10,250
Arizona Aikido	4	$4K - <$150K	$ 5,750
Arizona Center For Nature Conservation (Phoenix Zoo)	6	$3M+	$ 25,000
Arizona Jewish Historical Society	7	$400K- <$900K	$ 14,250
Arizona Masterworks Chorale	6	$4K - <$150K	$ 9,000
Arizona Opera Company	4	$3M+	$ 46,000
Arizona Science Center	8	$3M+	$ 31,000
Balkan Community Culture and Heritage Organization	3	$4K - <$150K	$ 8,500
Ballet Arizona	8	$3M+	$ 44,000
Black Theatre Troupe	8	$900K - $3M	$ 17,750
CALA Alliance	4	$400K- <$900K	$ 17,750

Central Arts Alliance (Phoenix Center for the Arts)	7	$900K - $3M	$	18,750
Children's Museum of Phoenix	8	$3M+	$	27,000
Childsplay	7	$3M+	$	26,000
Cihuapactli Collective	8	$900K - $3M	$	21,500
Cultural Coalition	7	$150K - <$400K	$	12,750
Desert Botanical Garden	6	$3M+	$	50,000
Desert Overture Live Cultural Entertainment	3	$4K - <$150K	$	5,500
Downtown Chamber Series	7	$4K - <$150K	$	11,250
Free Arts for Abused Children of Arizona	4	$900K - $3M	$	20,500
Grand Canyon Men's Chorale	4	$4K - <$150K	$	9,250
Grassrootz Bookstore	8	$4K - <$150K	$	10,000
Great Arizona Puppet Theater	7	$400K- <$900K	$	15,750
Grey Box Collective Foundation	6	$4K - <$150K	$	9,250
Harmony Project Phoenix	7	$150K - <$400K	$	14,500
Heard Museum	4	$3M+	$	42,000
Heartsy	8	$4K - <$150K	$	6,250
Heritage Square Foundation (Rosson House)	8	$400K- <$900K	$	16,750
Irish Cultural and Learning Foundation	7	$400K- <$900K	$	15,000
Japanese Friendship Garden of Phoenix	7	$900K - $3M	$	20,500
Jazz In Arizona	7	$900K - $3M	$	19,250
Kids In Focus	6	$400K- <$900K	$	10,000
Lights Camera Discover	6	$150K - <$400K	$	13,000
Musica Nova	2	$4K - <$150K	$	9,250
Musical Instrument Museum	2	$3M+	$	30,000
Musical Theatre of Anthem	1	$400K- <$900K	$	16,000
North Valley Chorale	3	$4K - <$150K	$	7,000
North Valley Symphony Orchestra	2	$4K - <$150K	$	9,750
Nuebox	4	$4K - <$150K	$	9,250
Orpheus Male Chorus of Phoenix	4	$4K - <$150K	$	5,750
Palabras Bilingual Bookstore	7	$150K - <$400K	$	8,346
Phoenix Art Museum	4	$3M+	$	36,000
Phoenix Boys Choir Association	6	$900K - $3M	$	22,000
Phoenix Chamber Music Society	6	$400K- <$900K	$	8,000
Phoenix Children's Chorus	7	$400K- <$900K	$	15,000
Phoenix Conservatory of Music	4	$400K- <$900K	$	17,750
Phoenix Film Foundation	2	$150K - <$400K	$	13,750
Phoenix Institute of Contemporary Art	6	$4K - <$150K	$	9,250
Phoenix Performing Arts Center (Herberger Theater Center)	7	$900K - $3M	$	20,500
Phoenix Symphony	7	$3M+	$	44,000
Phoenix Symphony Guild (Phoenix Youth Symphony Orchestras)	4	$400K- <$900K	$	10,000
Phoenix Theatre	4	$3M+	$	44,000
Phoenix Women's Chorus	3	$4K - <$150K	$	8,500
Phonetic Spit	7	$4K - <$150K	$	9,750
Playback Arizona	4	$4K - <$150K	$	11,000
ProMusica Arizona Chorale & Orchestra	3	$150K - <$400K	$	12,000
Red Rocks Music Festival	3	$150K - <$400K	$	11,500
Rising Youth Theatre	7	$150K - <$400K	$	13,000
Rosie's House A Music Academy for Children	8	$900K - $3M	$	20,500
Scorpius Dance Theatre	4	$4K - <$150K	$	5,750
Shemer Art Center and Museum	6	$400K- <$900K	$	15,750
Sounds Academy	6	$400K- <$900K	$	16,000
Spotlight Youth Theatre	1	$150K - <$400K	$	8,000
Starlight Community Theater	1	$4K - <$150K	$	5,500
The Phoenix Chorale	7	$900K - $3M	$	17,750
Valley Youth Theatre	7	$3M+	$	36,000
Wasted Ink Zine Distro	7	$4K - <$150K	$	9,250
Xico	7	$900K - $3M	$	19,750
Yes and Productions	3	$4K - <$150K	$	10,250
Young Arts Arizona	4	$4K - <$150K	$	9,250
		TOTAL	**$**	**1,227,596**

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 61

Artist Contract for Maryvale Grand Canal Crossing Public Art Project (Ordinance S-50041)

Request to authorize the City Manager, or his designee, to enter into a contract with artist Reinaldo Correa Studio, LLC, (IA) for an amount not to exceed $650,000 to design, fabricate and install public art enhancements for the Grand Canal Capital Improvement Project located along the Grand Canal between 47th and 75th avenues in Phoenix. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fiscal Year (FY) 2022-27 Public Art Plan includes a project to commission an artist to work with the Street Transportation Department and the community to enhance the design of the Grand Canal, specifically the trail and crossing at 51st Avenue in Maryvale.

On April 24, 2023, a four-person artist selection panel recommended Reinaldo Correa Studio, LLC, after reviewing 110 applicants. Reinaldo Correa Studio, LLC, was recommended based on his experience creating site-specific public art projects and his demonstrated ability to involve the community meaningfully. The panelists also noted the artist’s wide variety of project types and his knowledge of permanent and low-maintenance materials.

The selection panel included: Haley Hinds, Arts Specialists, Phoenix Sky Harbor Airport Museum; Michael Denson, Executive Director, West Valley Arts Council; Tiesha Harrison, Visual Artist; and Andrew Daugherty, Vice President, Affiliate Business Operations, Milwaukee Brewers.

Financial Impact

Maryvale Grand Canal Crossing public art project is one of 39 projects in the FY 2022-27 Public Art Plan that the City Council approved on June 15, 2022. The Plan includes $650,000 for this project. The proposed $650,000 budget will cover all costs related to the artwork's design, fabrication, and installation, including the artist’s time working with city staff, project consultants, and the local community to produce a complete and buildable design. The percent-for-art funds for this project come from Water Capital

Funds.

Concurrence/Previous Council Action
The Phoenix Arts and Culture Commission reviewed and recommended this item for approval on May 9, 2023, by a vote of 9-0. The Community and Cultural Investment Subcommittee reviewed and approved this item at its June 7, 2023 meeting by a vote of 4-0.

Location
Grand Canal between 47th and 75th avenues
Council District: 5

Responsible Department
This item is submitted by Deputy City Manager Inger Erickson and the Office of Arts and Culture.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 62

Artists' Contracts for Western Canalscape Public Art Project (Ordinance S-50064)

Request to authorize the City Manager, or his designee, to enter into contracts with artists Hector Ortega (AZ) and Ken McCall (ID) for an amount not to exceed $150,000 to purchase and install two artworks as part of the Western Canalscape Public Art Project near South 20th Street. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

The Fiscal Year (FY) 2022-27 Public Art Plan includes a project to integrate public art into the Western Canalscape Improvement Project from 4th Avenue to 24th Street. The project enhances the pedestrian and bicycle trail, including concrete pathways, safe street crossing facilities, and improved neighborhood access points.

On May 22, 2023, a selection committee identified two finalists from a pool of 48 artworks submitted by 15 artists who had responded to a City-issued Request for Qualifications. The artworks were selected based on artistic quality, the appropriateness of the artwork for a public setting, the durability of the materials, and the ability of the two artworks to complement each other and enhance the canalscape design.

The selection committee included: Roc Welch, a community member; Cheryle Marine, a Public Art Specialist, Valley Metro; and Paul NjiRaini, Roadway Safety Project Manager, City of Phoenix Street Transportation Department.

Financial Impact

The Western Canalscape Public Art Project is one of 39 projects in the FY 2022-27 Public Art Plan that the City Council approved on June 15, 2022. The Plan includes $315,000 for this project. The proposed $150,000 budget will cover all costs related to the artwork’s purchase and delivery, site preparation, and installation coordination. The percent-for-art funds for this project come from Water Capital Funds.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended this item for

approval on June 13, 2023, by a vote of 8-0-1.

Location
South 20th Street
Council Districts: 7 and 8

Responsible Department
This item is submitted by Deputy City Manager Inger Erickson and the Office of Arts and Culture.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 63

Artwork Donation - Hatcher Urban Businesses (Ordinance S-50043)

Request to authorize the City Manager, or his designee, to receive and install the artwork donation from the Hatcher Urban Businesses (theHUB), which will be located near the intersection of 19th Avenue and Hatcher Road (1811 W. Hatcher Road) in Phoenix. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

In early 2023, Council District 3 contacted the Office of Arts and Culture about a proposed donation for the Sunnyslope neighborhood. Staff met with theHUB representatives, the artist, staff from Council District 3, Neighborhood Services, and Water Services (the Water Services Department owns the land) to review the quality of the artwork and determine the initial feasibility of installing the artwork at the desired location.

The artist, Mark Carroll (AZ), initially responded to a call to artists to create an artwork that signifies the community of Sunnyslope coming together and creating a sense of place, belonging, and vibrancy. The artwork will be accessioned into the City of Phoenix Municipal Art Collection and maintained by the Office of Arts and Culture.

If City Council approves the Fiscal Year (FY) 2023-28 Public Art Plan it includes pooled funds to work directly with neighborhood and business associations to enhance parks, business corridors, and other community amenities. This artwork donation could be one of the collaborative projects to utilize these funds.

Financial Impact

Once installed, the Office of Arts and Culture will assume care and control of the donated artwork. Because of the durable material and finish, routine maintenance costs are estimated to be minimal and can be absorbed in the annual Public Art Maintenance Budget.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended this item for approval on May 9, 2023, by a vote of 9-0. The Community and Cultural Investment

Subcommittee reviewed and approved this item at its June 7, 2023, meeting by a vote of 4-0.

Location
1811 W. Hatcher Road
Council District: 3

Responsible Department
This item is submitted by Deputy City Manager Inger Erickson and the Office of Arts and Culture.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 64

Nuestro Pueblo Public Art Deaccession (Ordinance S-50042)

Request to authorize the City Manager, or his designee, of the deaccession of Nuestro Pueblo, a public art project located at Marivue Park (5625 W. Osborn Road) by Arizona artist Ron Gasowski. The artwork is in disrepair and no longer adheres to the artist's original design intent. The art was completed in 1989 with a budget of $18,000. Further request authorization for the City Controller to disburse all funds related to this item.

Summary

Through the 34 years the artwork has been exposed to the elements, the materials have worn and degraded to the point that the artwork is no longer a suitable representation of the artist’s design intent. Additionally, safety is a major concern. The artwork has a greater potential to fall over as the interior structures are exposed to the elements and shows rust. Mr. Gasowski knows the intent to deaccession and dispose of the artwork and agrees with the plan.

Local contractors will be hired to complete this work under the supervision of the Office of Arts and Culture’s collections manager. More information about the project can be found here: phoenix.gov/arts/public-art-program/explore-the-collection/nuestropueblo.

Financial Impact

It will cost approximately $5,000 - $6,000 to deaccession and dispose of the artwork. This includes testing ceramic materials for asbestos and the labor to remove and dispose of the material. The Fiscal Year 2023-24 Public Art Maintenance Budget will provide the funding to complete the work.

Concurrence/Previous Council Action

The Phoenix Arts and Culture Commission reviewed and recommended this item for approval on May 9, 2023, by a vote of 9-0. The Community and Cultural Investment Subcommittee reviewed and approved this item at its June 7, 2023, meeting by a vote of 4-0.

Location

5625 W. Osborn Road
Council District: 4

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Office of Arts and Culture.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 65

Recreational Services Qualified Vendor List Contract - PKS RFQu 23-001 - Request for Award (Ordinance S-50061)

Request to authorize the City Manager, or his designee, to enter into contracts with the offerors to the Request for Qualifications PKS RFQu 23-001 for Recreational Services Qualified Vendor List for the Parks and Recreation Department. Further request to authorize the City Controller to disburse all funds related to this item. There is no financial impact for this action.

Summary

The Parks and Recreation Department provides a multitude of classes, programs and other services to the community. Some of the classes, programs and services include, but are not limited to, art, dance, fitness, language, music, sports and theater instruction.

The Parks and Recreation Department invited qualified offerors to submit a written Statement of Qualifications response for Recreational Services. The purpose was to establish a Qualified Vendors List (QVL) to be used in order to provide entertainers and instructors for recreation events and programs.

Procurement Information

On May 23, 2023, PKS RFQu 23-001 for Recreational Services Instructors was issued. The solicitation was conducted in accordance with City of Phoenix Administrative Regulations 3.10 to add additional instructors to the current QVL. There were 23 offers received on June 13, 2023. Of the 23 offers, 15 were determined to be responsive and responsible to the solicitation requirements. A Notice of Award Recommendation is attached (**Attachment A**).

Contract Term

The contract term for the recommended vendors is July 1, 2023 through June 30, 2025.

Financial Impact

There is no financial impact to the General Fund. Costs for vendor services are paid from fees charged to program participants.

Concurrence/Previous Council Action

- Recreational Services Instructors Qualified Vendors List (Ordinance S-46380) on Feb. 19, 2020.

Responsible Department

This item is submitted by Deputy City Manager Inger Erickson and the Parks and Recreation Department.

ATTACHMENT A

City of Phoenix

PARKS AND RECREATION DEPARTMENT

NOTICE OF AWARD RECOMMENDATION

DATE: June 15, 2023

SOLICITATION:
PKS RFQu 23-001 Recreation Services Qualified Vendors List Request for Qualifications

The City of Phoenix Parks and Recreation Department would like to thank all participants for submitting a proposal for the above-mentioned Request for Qualifications.

Proposals in response to the above referenced request have been evaluated and based on the Proposal Requirements stated in the request the Parks and Recreation Department recommends the following vendors be placed on the Qualified Vendors List (QVL).

No.	Vendor	Name(s)
1.	A Place of Love, LLC.	ABAgail Dunn
2.	Artsy Smartsy, LLC	Tina Marie Ferguson
3.	At the Outlet, Inc.	Shirleen Garcia
4.	BirdBall, LLC	Malique Washington
5.	Bulluck C. Enterprises, LLC	Laura Bulluck
6.	Epitome of Soul, Inc.	Nailah Butler
7.	Family and Community Education Services of AZ dba FACES of AZ, LLC	Sonia Samaniego
8.	Got You Covered Music, Inc.	Jennifer Cheroske
9.	Kawambe Omowale African Drum and Dance Theater, LLC	Debra Glasper
10.	Kirkland Love, LLC	Miles Gilbert
11.	Lori Motola	Lori Motola
12.	Niamh Savani	Niamh Savani
13.	S. Creates dba LLT Studios	Shameka Bryant Thomas
14.	Sacred Gs	Vo Vera Sapienza
15.	Sew Social	Alana Sergeon

If you have any questions, please contact me at the email or phone listed below. Thank you for your interest in doing business with the City of Phoenix.

Martin Rodriguez
Senior Buyer
Parks and Recreation Department
(602) 261-8793
martin.rodriguez@phoenix.gov
200 W. Washington St. 16th Floor
Phoenix, Arizona 85003-1611

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 66

Building Automation System Services - IFB PCC 22-001 - Request for Award (Ordinance S-50034)

Request to authorize the City Manager, or his designee, to enter into separate contracts with Pueblo Mechanical and Controls, LLC., and Havel division of Shambaugh & Son L.P. to provide building automation system services for the Phoenix Convention Center Department. Further request to authorize the City Controller to disburse all funds related to this item. The total value of the contracts will not exceed $4,000,000.

Summary

The contract will provide Building Automation System (BAS) services to the Phoenix Convention Center Department (PCCD). The BAS systems control and monitor various energy-consuming devices such as heating and cooling equipment, smoke control, lighting, access control, and alarm monitoring. PCCD has multiple facilities with aging BAS systems that need to be assessed, engineered, integrated, modified, programmed, and installed on an as-needed basis. Additionally, these contracts will support multiple building automation related capital improvement projects totaling approximate $3.5 million dollars over the contract period. These include a complete HVAC access control replacement for the South Building, Herberger Theater and Symphony Hall, network and software upgrades to the North and West Buildings, and a Convention Center campus wide access control card reader upgrade project.

Procurement Information

An Invitation for Bid PCC 22-001 procurement was processed in accordance with City of Phoenix Administrative Regulation 3.10.
Two vendors submitted bids deemed to be responsive to posted specifications and responsible to provide the required goods and services. Following an evaluation based on hourly labor rate and discount percentage off list price, the procurement officer recommends award to the following vendors:

Selected Bidders:

Bidder A:	Pueblo Mechanical and Controls L.L.C.	
	On-Site Labor Rate 24/7	$100.00/HR
	On-Site Emergency Response	$135.00/HR

Off-Site Labor Rate 24/7	$100.00/HR
Off-Site Emergency Response	$135.00/HR
Percentage off Schneider Parts	60 Percent
Percentage off non-Schneider Parts	60 Percent

Bidder B: Havel division of Shambaugh & Son L.P.

On-Site Labor Rate 24/7	$110.00/HR
On-Site Emergency Response	$154.00/HR
Off-Site Labor Rate 24/7	$94.00/HR
Off-Site Emergency Response	$132.00/HR
Percentage off Schneider Parts	63.5 Percent
Percentage off non-Schneider Parts	34 Percent

Contract Term
The contracts will begin on or about Aug. 1, 2023, for a five-year term with no options to extend.

Financial Impact
The value of the contracts will not exceed $4,000,000.

Funding is available in the Phoenix Convention Center Department Operating and/or Capital Improvement Program budgets.

Location
Council Districts: 7 and 8

Responsible Department
This item is submitted by Interim Deputy City Manager John Chan and the Phoenix Convention Center Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 67

Approval to Enter into Agreements with Various School Districts for Funding of School Resource Officers (Ordinance S-50052)

Request to authorize the City Manager, or his designee, to allow the Police Department to enter into Intergovernmental Agreements with various school districts at the school district's request for placement of School Resource Officers (SROs). These agreements are for the 2023-2024 school year. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item. Cost to the City is the 25 percent match for the SRO salary and fringe benefits.

Summary

At the request of school districts, the Police Department enters into Intergovernmental Agreements with various school districts to assist with the cost of SROs deployed in schools. Funding for these 64 SROs is provided through partnerships with the Arizona Department of Education and individual school districts. Through this partnership, school district funds reimburse the City for 75 percent of the SRO's salary, while the remaining 25 percent is paid by the City.

The 2022-2023 school year included agreements for SRO services at 71 schools for a total deployment of 64 SROs. The 2023-2024 school year will include agreements for SRO services at 71 schools for a total deployment of 64 SROs.

2023-2024 SRO School Districts:
Cartwright Elementary District
Cave Creek Unified District
Deer Valley Unified District
Empower College Prep
Glendale Union High School District
Horizon Community Learning Center
Kaizen Education Foundation
Kyrene Elementary District
Laveen Elementary District
Murphy Elementary District
Paradise Valley Unified District
Premier Charter High School

Scottsdale Unified
Tempe Union High School District
Tolleson Union High School District
Washington Elementary School District
Wilson Elementary District

Contract Term
The terms of these agreements are for one year with varying start and end dates to coincide with each school's 2023-2024 school year.

Financial Impact
Cost to the City is the 25 percent match for the SRO salary and fringe benefits.

Responsible Department
This item is submitted by Assistant City Manager Lori Bays and the Police Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 68

Approval to Enter into Agreements with Various School Districts for Potential Future School Resource Officers (Ordinance S-50065)

Request to authorize the City Manager, or his designee, to allow the Police Department to enter into Intergovernmental Agreements with various school districts at the school district's request for the potential placement of School Resource Officers (SROs) should SRO resources become available in the future. These agreements are for the 2023-2024 school year. Further request authorization for the City Treasurer to accept and for the City Controller to disburse all funds related to this item.

Summary

At the request of school districts, the Police Department enters into Intergovernmental Agreements with various school districts to assist with the cost of SROs deployed in schools. Funding for SROs is provided through partnerships with the Arizona Department of Education (ADE) and individual school districts. Through this partnership, school district funds reimburse the City for 75 percent of the SRO's salary, while the remaining 25 percent is paid by the City.

The 2022-2023 school year included agreements for SRO services at 71 schools for a total deployment of 64 SROs. The 2023-2024 school year will include agreements for SRO services at 71 schools for a total deployment of 64 SROs. However, there are not additional SROs available to fill the additional requests that have been received from other school districts at this time.

Additional requests for SROs, which are not able to be filled at this time, have been received by the following nine school districts:

- Daisy Education Corporation dba Sonoran Science Academy
- EAGLE College Prep Schools
- Friendly House, Inc.
- Legacy Traditional School
- Madison Highland Prep
- Phoenix Union School District
- Sage Academy, Inc.

- Victory Collegiate Academy Corporation
- Western School of Science and Technology, Inc.

There are also several school districts that have received funding from the ADE to support SRO placements but have not submitted a formal request to the Police Department, including the following seven school districts:

- ASU Preparatory Academy
- Franklin Phonetic Primary School, Inc.
- Isaac Elementary District
- Skyline Schools, Inc.
- Southwest Leadership Academy
- Synergy Public School, Inc.
- Tolleson Elementary School

This request will allow the City to enter into conditional agreements with the school districts that have already made a formal request and the districts above that may submit a request in the future. In these conditional future resource agreements, the City and the additional school districts must agree that, at this time, the Police Department does not have officers available to fulfill the additional SRO positions, nor is there a timeline of when SROs may become available.

These agreements will allow the City and the additional school districts to move forward in the future if SROs become available. If additional SROs become available, the Police Department may make a placement, which may be in a single- or multi-school model. Additional terms may also be agreed upon regarding school district and officer responsibilities, interactions between officers and students and/or staff members as well as other terms relevant to the relationship between the school district and the department.

The Police Department is also exploring options for innovative ways to potentially provide school safety resources to schools with limited availability of sworn officers. This may include a multi-school or regional model, the integration of civilian staff members or other innovations to meet the growing need. These options will be discussed with Council members and education partners at a future date.

Contract Term
The terms of these agreements are for one year with varying start and end dates to coincide with each school's 2023-2024 school year.

Financial Impact
If SROs become available, the cost to the City is the 25 percent match for the SRO salary and fringe benefits.

Responsible Department
This item is submitted by Assistant City Manager Lori Bays and the Police Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 69

Phoenix Sky Harbor International Airport Terminal 4 Baggage Handling System Upgrades - Architectural Services Amendment - AV21000109 (Ordinance S-50048)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 157695 with BNP Associates, Inc. to provide additional Architectural Services that include design and construction administration and inspection services for the Phoenix Sky Harbor International Airport Terminal 4 Baggage Handling System Upgrades project. Further request to authorize execution of amendments to the Agreement, as necessary, within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The additional fee for services included in this amendment will not exceed $5 million.

Summary

The purpose of the project is to modernize components of the Phoenix Sky Harbor International Airport Terminal 4 (T4) Baggage Handling System (BHS). This project is necessary because the BHS utilized by American Airlines and the international airline carriers in Terminal 4 is largely obsolete and operating on controls utilizing technology at end of life at more than 25 years old.

This amendment is necessary for the next phase of this multi-phased project to complete the BHS design package to 30 percent from the original programming and conceptual design for the modernization of T4 BHS - T4 North, T4 International, T4 Recheck, T4 Federal Inspection Station and T4 In-bound 1-7. This amendment will provide additional funds to the Agreement.

BNP Associates, Inc.'s services include, but are not limited to: compliance and peer review of baggage handling system completed by the contractor, including Transportation Security Administration submittals; replacing diverters, upgrading ControlNet to Ethernet/IP, upgrading of reporting servers, rewriting of Programmable Logic Controller code and upgrading/replacing Automatic Tag Readers and Baggage Measuring Arrays equipment; associated structural, electrical, mechanical, technology, and Fire/Life/Safety/Security components; civil work; pre-construction conference and construction coordination meetings; Requests for Information and submittal review/approvals; construction site visits and field reports; certification of progress

payments; prepare construction progress reports; review contractor's requests and change orders and other work as required.

Contract Term
The term of the Agreement remains unchanged. Work scope identified and incorporated into the Agreement prior to the end of the term may be agreed to by the parties and work may extend past the termination of the Agreement. No additional changes may be executed after the end of the term.

Financial Impact
The initial Agreement for Architectural Services was approved for an amount not to exceed $1.5 million, including all subconsultant and reimbursable costs. This amendment will increase the Agreement by an additional $5 million, for a new total amount not to exceed $6.5 million, including all subconsultant and reimbursable costs.

Funding for this amendment is available in the Aviation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to Agreement limits for all rendered Agreement services, which may extend past the Agreement termination.

Concurrence/Previous Council Action
The City Council approved Architectural Services Agreement 157695 (Ordinance S-49328) on Jan. 25, 2023.

Location
2485 E. Buckeye Road
Council District: 8

Responsible Department
This item is submitted by Deputy City Managers Mario Paniagua and Alan Stephenson, the Aviation Department and the City Engineer.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 70

Phoenix Sky Harbor International Airport Terminal 4 Baggage Handling System Upgrades - Construction Manager at Risk Services Amendment - AV21000109 (Ordinance S-50050)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreement 157694 with The Weitz Company, LLC to provide additional Construction Manager at Risk Preconstruction and Construction Services for the Phoenix Sky Harbor International Airport Terminal 4 Baggage Handling System Upgrades project. Further request to authorize execution of amendments to the Agreement as necessary within the Council-approved expenditure authority as provided below and for the City Controller to disburse all funds related to this item. The additional fee for services included in the amendment will not exceed $8.2 million.

Summary

The purpose of the project is to modernize components of the Phoenix Sky Harbor International Airport Terminal 4 (T4) Baggage Handling System (BHS). This project is necessary because the BHS utilized by American Airlines and the international airline carriers in Terminal 4 is largely obsolete, and operating on controls utilizing technology at end of life at more than 25 years old.

This amendment is necessary for additional Preconstruction Services and Construction Phase Services for the modernization of T4 BHS - T4 North, T4 International, T4 Recheck, T4 Federal Inspection Station, and T4 In-bound 1-7 are ready to begin. This amendment will provide additional funds to the Agreement.

The Weitz Company, LLC’s additional construction services include, but are not limited to: manage, coordinate, and construct the baggage handling system to include structural, electrical, mechanical, technology, lighting, maintenance access, fire/life/safety/security, and civil modifications to the existing terminal building; provide energy modeling for the baggage handling system baseline and final design; provide baggage handling system Transportation Security Administration design and construction coordination; provide a tested, commissioned, and approved baggage handling system; select subcontractors and suppliers and subcontractor coordination; prepare Guaranteed Maximum Price proposals that meet project phasing and the approval of the City; coordinate with various City departments, project stakeholders,

existing tenants, utility companies, and other agencies, as applicable; procure materials and equipment; schedule and manage site operations; provide quality controls and lifecycle cost analysis; bond and insure the construction; address all federal, state, and local permitting requirements; prepare and submit Requests for Information, submittals, proposal requests, and change orders for review and approval; conduct construction site visits; submit progress payment requests; prepare construction progress reports; and other work as required.

Contract Term

The term of the Agreement amendment remains unchanged at five years from issuance of the Notice to Proceed. Work scope identified and incorporated into the Agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the Agreement. No additional changes may be executed after the end of the term.

Financial Impact

- The initial agreement for Construction Manager at Risk Services was approved for an amount not to exceed $300,000, including all subcontractor and reimbursable costs.
- This amendment will increase the Agreement by an additional $8.2 million, for a new total amount not to exceed $8.5 million, including all subcontractor and reimbursable costs.

Funding is available in the Aviation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to Agreement limits for all rendered Agreement services, which may extend past the Agreement termination.

Concurrence/Previous Council Action

The City Council approved:

- Architectural Services Agreement 157695 (Ordinance S-49328) on Jan. 25, 2023.
- Construction Manager at Risk Services Agreement 157694 (Ordinance S-49323) on Jan. 25, 2023.

Location

2485 E. Buckeye Road
Council District: 8

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Alan Stephenson, the Aviation Department and the City Engineer.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 71

Phoenix Sky Harbor International Airport Terminal Area Monitoring System Project - Professional Services - 6663111040 (Ordinance S-50055)

Request to authorize the City Manager, or his designee, to enter into an agreement with Geosyntec Consultants, Inc. to provide Professional Services that include periodic monitoring of air sparge wells, ground water monitoring wells, and soil vapor monitoring wells for the Phoenix Sky Harbor International Airport Terminal Area Monitoring System project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $175,000.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design, and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunications, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception pursuant to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to provide environmental monitoring, site characterization, and periodic air sparge in an area near the Honeywell remediation area and between Terminal 3 and Terminal 4 at Phoenix Sky Harbor International Airport. Geosyntec Consultants, Inc. will implement the sampling program, coordinate professionally with Honeywell, make recommendations to the City, and interpret results in a scientific manner.

Procurement Information

Geosyntec Consultants, Inc. was chosen for this project using a Direct Select process set forth in section 34-103 of the Arizona Revised Statutes. The Direct Select process

reduces time to procure professional services as opposed to an advertised selection process, meeting project deadlines, ensuring continuity, and the most efficient use of staff and funding resources.

Contract Term
The term of the agreement is five years from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Geosyntec Consultants, Inc. will not exceed $175,000, including all subconsultant and reimbursable costs.

Funding is available from the Aviation Department's Operating budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location
2485 E. Buckeye Road
Council District: 8

Responsible Department
This item is submitted by Deputy City Managers Mario Paniagua and Alan Stephenson, the Aviation Department and the City Engineer.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 72

West Air Cargo Reconstruction - Design-Bid-Build Services - AV06000026 FAA (Ordinance S-50053)

Request to authorize the City Manager, or his designee, to accept J. Banicki Construction, Inc. as the lowest-priced, responsive and responsible bidder and to enter into an agreement with J. Banicki Construction, Inc. for Design-Bid-Build Services for the West Air Cargo Reconstruction project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $23,999,974.

Summary

The purpose of this project is to deliver the reconstruction of the apron pavement for the West Air Cargo Apron located north and west of the center runway at Phoenix Sky Harbor International Airport (PHX). Additional work will consist of drainage improvements, pavement markings, and utility adjustments, as required. The ramp area is approximately 95,500 square yards of existing asphalt pavement located just west of the existing cargo building, east of the Aviation Facilities and Services building, in the northwest corner of the south airfield. The project will be constructed in an active airfield environment within the current boundaries of the PHX Air Operations Area.

J. Banicki Construction, Inc.'s services include, but are not limited to: reconstruct approximately 95,500 square yards of airfield apron with new concrete pavement, including a vehicle service road along with associated lighting, striping, and site drainage improvements. The work will be constructed within project phasing requirements that minimize impacts to PHX operations.

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Five bids were received on May 23, 2023, and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness that demonstrates compliance with Disadvantaged Business Enterprise (DBE) program requirements.

The Opinion of Probable Cost and the five lowest responsive, responsible bidders are listed below:

- Opinion of Probable Cost: $19,278,841.50
- J. Banicki Construction, Inc.: $23,999,974
- Kiewit Infrastructure West Co.: $25,970,000
- Coffman Specialties, Inc.: $26,495,000
- Pulice Construction, Inc.: $28,485,054.50
- Sundt Construction, Inc.: $31,815,412

Although the bid exceeds the Engineer's Opinion of Probable Cost by more than 10 percent, it has been determined that the bid represents a fair and reasonable price for the required work scope. Additionally, the bid award amount is within the total budget for this project.

Contract Term
The term of the agreement is 266 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for J. Banicki Construction, Inc. will not exceed $23,999,974, including all subcontractor and reimbursable costs.

This project will utilize federal funds and is subject to the requirements of 49 Code of Federal Regulations Part 26 and the U.S. Department of Transportation DBE program. Funding is available in the Aviation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action
The City Council approved Engineering Services Agreement 155435 (Ordinance S-48073) on Nov. 3, 2021.

Location
2485 E. Buckeye Road
Council District: 8

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Alan Stephenson, the Aviation Department and the City Engineer.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 73

Deer Valley Airport Blast Pads - Design-Bid-Build Services - AV31000094 (Ordinance S-50058)

Request to authorize the City Manager, or his designee, to accept J. Banicki Construction, Inc. as the lowest-priced, responsive and responsible bidder and to enter into an agreement with J. Banicki Construction, Inc. for Design-Bid-Build Services for the Deer Valley Airport Blast Pads project. Further request to authorize the City Controller to disburse all funds related to this item. The fee for services will not exceed $1,701,693.70.

Summary

The purpose of this project is to construct four new asphalt blast pads with markings at Phoenix Deer Valley Airport. Work will include demolition and removal of two existing blast pads on Runway 7R/25L and construction of new blast pads at each end of that runway and Runway 7L/25R. Notable details include removal, storage, and relaying of rock mulch, lime treatment of soil, and electrical and lighting work associated with runway lighting.

J. Banicki Construction, Inc.'s services include, but are not limited to: preparing soil for expansion of south runway (7R/25L) blast pads, mill existing asphalt blast pads two inches, and installation of new larger blast pads; excavate, prepare soil, and install new blast pads on north runway (7L/25R); remove and re-install existing hardscape decomposed granite; modify existing electrical systems, as required; utilize barricades, as required; coordinate with Deer Valley Airport Operations; and other miscellaneous contract work.

The selection was made using an Invitation for Bids procurement process set forth in section 34-201 of the Arizona Revised Statutes. Two bids were received on May 31, 2023, and were sent to the Equal Opportunity Department for review to determine subcontractor eligibility and contractor responsiveness in demonstrating responsiveness to Disadvantaged Business Enterprise (DBE) program requirements.

The Opinion of Probable Cost and the lowest responsive, responsible bidders are listed below:

- Opinion of Probable Cost: $1,111,429.50
- J. Banicki Construction, Inc.: $1,701,693.70

Bidders who were deemed non-responsive are listed below, in alphabetical order:

- Desert Services International, Inc.

Although the bid exceeds the Engineer's Opinion of Probable Cost by more than 10 percent, it has been determined that the bid represents a fair and reasonable price for the required work scope. Additionally, the bid award amount is within the total budget for this project.

Contract Term
The term of the agreement is 180 calendar days from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for J. Banicki Construction, Inc. will not exceed $1,701,693.70, including all subcontractor and reimbursable costs.

This project will utilize federal funds and is subject to the requirements of 49 Code of Federal Regulations Part 26 and the U.S. Department of Transportation DBE program. Funding is available in the Aviation Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Concurrence/Previous Council Action
The City Council approved Engineering Services Agreement 155732 (Ordinance S-48243) on Jan. 5, 2022.

Location
702 W. Deer Valley Road
Council District: 1

Responsible Department

This item is submitted by Deputy City Managers Mario Paniagua and Alan Stephenson, the Aviation Department and the City Engineer.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 74

Asset Tagging and WAM Data Collection - Professional Services - WS85230047 (Ordinance S-50032)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC to provide Professional Services that include reviewing vertical asset data and placing inventory tags on assets for the Asset Tagging and WAM Data Collection project. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $3 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to review vertical asset data and place inventory tags on assets at five water production plants, 389 remote facilities, two wastewater treatment plants, and 29 lift stations located throughout the City.

Wilson Engineers, LLC will be responsible for identifying and recommending the physical asset tags for the project. Asset tags must be compatible with mobile devices and Computerized Maintenance Management Software. Tags must have a sequential unique ID that corresponds to a barcode or QR code.

Procurement Information

The selection was made using a qualifications-based selection process set forth in Section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S.

section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Four firms submitted proposals and are listed below.

Selected Firm
Rank 1: Wilson Engineers, LLC

Additional Proposers
Rank 2: Atlas Technical Consultants LLC
Rank 3: McKinstry Essention, LLC
Rank 4: IDAX Data Solutions

Contract Term
The term of the agreement is three years from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Wilson Engineers, LLC will not exceed $3,000,000, including all subconsultant and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Responsible Department
This item is submitted by Deputy City Managers Ginger Spencer and Alan Stephenson, the Water Services Department and the City Engineer.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 75

Lift Station 61 Improvements and Redundant Force Main - Construction Administration and Inspection Services - WS90400086 and WS90501003 (Ordinance S-50035)

Request to authorize the City Manager, or his designee, to enter into an agreement with Wilson Engineers, LLC to provide Engineering Services that include construction administration and inspection services for the Lift Station 61 Improvements and Redundant Force Main project. Further request to authorize execution of amendments to the agreement, as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $2 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services relating to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to provide construction administration and inspection services for two independently designed projects: Lift Station 61 Improvements and a Redundant Force Main. The lift station design includes new pumps, discharge piping configuration, valves, appurtenances, electrical equipment, bio filter, bioxide equipment, and various site repairs. The force main design includes the installation of a 16,050 linear foot dual 18-inch force main from the lift station site to the intersection of Broadway Road and 91st Avenue. The removal and abandonment of the existing 16 -inch DIP force main and the removal of the existing 10-inch PVC force main is also included in this project.

Wilson Engineers, LLC's services include, but are not limited to: managing the construction schedule; performing site visits; reviewing shop drawing and test results; interpreting and clarifying contract documents; certifying progress payments; providing substantial and final completion inspections; materials testing, as well as providing the services of an on-site inspector throughout the construction; assisting the City in obtaining permits and approvals for work; compiling all project related documents following the completion of the project; and special services as may be identified for the project.

Procurement Information
The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Five firms submitted proposals and are listed below.

Selected Firm
Rank 1: Wilson Engineers, LLC

Additional Proposers
Rank 2: Brown and Caldwell, Inc.
Rank 3: Entellus, Inc.
Rank 4: Consor Engineers, LLC
Rank 5: Hazen and Sawyer

Contract Term
The term of the agreement is five years from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Wilson Engineers, LLC will not exceed $2 million, including all subconsultant and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location
Lift Station 61 is located at the northeast corner of 107th Avenue and Broadway Road. The force main extends from the lift station to the intersection of Broadway Road and 91st Avenue.
Council District: 7

Responsible Department
This item is submitted by Deputy City Managers Ginger Spencer and Alan Stephenson, the Water Services Department and the City Engineer.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 76

Innovation 27 Workforce Training and Education Collaborative - Construction Manager at Risk Preconstruction Services - ED20000008 (Ordinance S-50036)

Request to authorize the City Manager, or his designee, to enter into an agreement with Kitchell Contractors, Inc. of Arizona to provide Construction Manager at Risk Preconstruction Services for the Innovation 27 Workforce Training and Education Collaborative project. Further request to authorize execution of amendments to the agreement, as necessary within the Council-approved expenditure authority as provided below and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $500,000.

Summary

The purpose of this project is to provide the adaptive reuse construction of a former big-box department store into a workforce and education facility.

Kitchell Contractors, Inc. of Arizona will begin in an agency support role for Construction Manager At Risk Preconstruction Services. Kitchell Contractors, Inc. of Arizona will assume the risk of delivering the project through a Guaranteed Maximum Price agreement.

Kitchell Contractors, Inc. of Arizona's Preconstruction Services include, but are not limited to: detailed cost estimating and knowledge of marketplace conditions; provide project planning and scheduling; provide alternate systems evaluation and constructability studies; advise City on ways to gain efficiencies in project delivery; provide long-lead procurement studies and initiate procurement on long-lead items; assist in the permitting process; participate with the City in a process to set goal for local and Small Business Enterprise (SBE) participation and implement the local and SBE process; protect the owner's sensitivity to quality, safety, and environmental factors; and advise the City on choosing green building materials. A SBE goal will be established for this project upon substantial completion of Preconstruction Services and prior to the start of construction.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S.

section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Five firms submitted proposals and are listed below:

Selected Firm
Rank 1: Kitchell Contractors, Inc. of Arizona

Additional Proposers
Rank 2: Okland Construction Company, Inc.
Rank 3: Chasse Building Team, Inc.
Rank 4: Caliente Construction, Inc.
Rank 5: Sun Eagle Corporation

Contract Term
The term of the agreement is five years from issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Kitchell Contractors, Inc. of Arizona is not to exceed $500,000, including all subcontractor and reimbursable costs.

Funding is available from American Rescue Plan Act, a federally-funded program. Funds are budgeted in the Community and Economic Development Department Capital Improvement Program. There is no impact to the General Fund. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Location
2526 W. Northern Ave.
Council District: 5

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson, Interim Deputy City Manager John Chan, the Community and Economic Development Department, and the City Engineer.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 77

Innovation 27 Workforce Training and Education Collaborative - Architectural Services - ED20000008 (Ordinance S-50037)

Request to authorize the City Manager, or his designee, to enter into an agreement with M. Arthur Gensler Jr. & Associates, Inc. to provide Architectural Services that include assessment, design, and possible construction administration and inspection services for the Innovation 27 Workforce Training and Education Collaborative project. Further request to authorize execution of amendments to the agreement, as necessary within the Council-approved expenditure authority as provided below and for the City Controller to disburse all funds related to this item. The fee for services is not to exceed $4 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to provide the adaptive reuse construction of a former big -box department store into a workforce and education facility.

M. Arthur Gensler Jr. & Associates, Inc.’s services include, but are not limited to: update site analysis; concept design development; code and zoning compliance; construction documents, details and specifications; possible construction administration and inspection; and other work for a complete project.

Procurement Information

The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Six firms submitted proposals and are listed below:

Selected Firm
Rank 1: M. Arthur Gensler Jr. & Associates, Inc.

Additional Proposers
Rank 2: Holly Street Studio, LLC
Rank 3: Multistudio, Inc.
Rank 4: Marlene Imirzian & Associates, LLC
Rank 5: GLHN Architects & Engineers, Inc.
Rank 6: LAST Architects LLC

Contract Term

The term of the agreement is five years from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact

The agreement value for M. Arthur Gensler Jr. & Associates, Inc. will not exceed $4 million, including all subconsultant and reimbursable costs.

Funding is available from American Rescue Plan Act, a federally-funded program. Funds are budgeted in the Community and Economic Development Department Capital Improvement Program. There is no impact to the General Fund. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Public Outreach

Public outreach will be provided as directed by the City.

Location

2526 W. Northern Ave.
Council District: 5

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson, Interim Deputy City Manager John Chan, the Community and Economic Development Department, and the City Engineer.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 78

Intergovernmental Agreement with the Arizona Department of Transportation for Legislative Appropriations Transportation Funding for Roadway Improvements on 43rd Avenue Between Dove Valley Road and State Route 74/Carefree Highway (Ordinance S-50066)

Request authorization for the City Manager, or his designee, to execute an Intergovernmental Agreement (IGA) with the Arizona Department of Transportation (ADOT) to accept and disburse Legislative Appropriations Transportation funding for roadway improvements to 43rd Avenue between Dove Valley Road and State Route 74/Carefree Highway. Request an exemption from the indemnification prohibition set forth in the Phoenix City Code section 42-18 for a governmental entity pursuant to Phoenix City Code section 42-20. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

Laws 2023,1st Regular Session, Chapter 135 (Senate Bill 1722) Section 10 appropriated funding from the State general fund for highway projects. ADOT will issue a warrant in the amount of $6,500,000 appropriated to the City of Phoenix to extend 43rd Avenue between Dove Valley Road and State Route 74/Carefree Highway. This project is a vital major arterial roadway connection which supports the growing traffic demand associated with the expanding Taiwan Semiconductor Manufacturing Corporation (TSMC) site, a multi-billion-dollar economic generator. This project also supports the regional commitment to improve access to the future TSMC site.

Contract Term

The IGA will expire upon completion of the project and once all IGA-related payments are made.

Financial Impact

The current total project cost is estimated at $10.5 million. The State earmark appropriated to the City will cover $6.5 million of the total project cost. The City's participation is estimated at $4 million. Funding is available in the Street Transportation Department's Capital Improvement Program.

Location
43rd Avenue between Dove Valley Road and State Route 74/Carefree Highway
Council District: 1

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 79

Request Authorization to Accept Funding and Enter into an Intergovernmental Agreement with the Flood Control District of Maricopa County for the Fiscal Year 2024 Small Project Assistance Program - North 20th Street and Lookout Mountain Flood Hazard Mitigation Project (Ordinance S-50063)

Request to authorize the City Manager, or his designee, to accept funding and enter into an agreement with the Flood Control District of Maricopa County (FCDMC) for Fiscal Year 2024 Small Project Assistance Program (SPAP) for the North 20th Street and Lookout Mountain Flood Hazard Mitigation Project. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item. The City's funding of this project will not exceed $250,000.

Summary

The FCDMC SPAP provides an opportunity for cities to cost-share flood hazard mitigation projects through local drainage solutions, emphasizing projects that mitigate historical flooding issues. The program provides cost-share opportunities for project-related design and construction costs. Reimbursements for projects approved under this program must be made no later than June 30, 2025.

In coordination with community members and drainage evaluations, staff submitted an SPAP application to the FCDMC in June 2023 for the North 20th Street and Lookout Mountain Flood Hazard Mitigation Project.

The North 20th Street and Lookout Mountain Flood Hazard Mitigation Project was submitted with the support of a local drainage study conducted by the Floodplain Management Section; the North 20th Street and Lookout Mountain Flood Hazard Mitigation Project is located at North 20th Street east of Lookout Mountain Park. During regular storm events, stormwater impedes vehicular and foot traffic and inundates homes and structures in the area. During a five-year or greater rainfall event, there is the potential to cause structural damage to homes along North 20th Street.

This flooding issue has prompted residents to seek assistance from the City of Phoenix. These flooding complaints were investigated, studied and warranted submission for SPAP mitigation and participation.

Financial Impact
The amount of financial assistance from the FCDMC is limited to 75 percent of the project costs or up to $1 million. The City's cost share, which will not exceed $250,000, will be funded from the Local Drainage Solutions Program in the Street Transportation Department's Capital Improvement Program.

Location
North 20th Street East of Lookout Mountain Park
Council District: 3

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson, the Street Transportation Department and the City Engineer.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 80

Authorization to Accept and Disburse Legislative Appropriations Transportation Funding for Roadway Improvements on Happy Valley Road, 67th to 35th Avenues (Ordinance S-50067)

Request authorization for the City Manager, or his designee, to accept and disburse Legislative Appropriations Transportation funding for roadway improvements on Happy Valley Road between 67th and 35th avenues. Request an exemption from the indemnification prohibition set forth in the Phoenix City Code section 42-18 for a governmental entity pursuant to Phoenix City Code section 42-20. Further request to authorize the City Treasurer to accept, and the City Controller to disburse, all funds related to this item.

Summary

Laws 2023, 1st Regular Session, Chapter 135 (Senate Bill 1722) Section 10 appropriated $12.5 million from the State general fund for highway projects. The City, in coordination with the Maricopa Association of Governments (MAG) and the Arizona Department of Transportation (ADOT), is planning a regional roadway improvement project along Happy Valley Road between 67th and 35th avenues. The City will use the appropriated $12.5 million towards the construction phase of the regional project on Happy Valley Road. The funding will close the gap based on the local match requirement which is 30 percent of the total project cost. The current total project cost is $27,304,829.

Concurrence/Previous Council Action

The City Council approved:

- A Project Agreement with MAG for the pre-design and environmental phases associated with this project (Ordinance S-46149) on Nov. 6, 2019;
- A Project Agreement with MAG for the design phase of this project (Ordinance S-48019) on Oct. 27, 2021; and
- An Advance Construct Agreement with MAG and ADOT for the construction phase of this project (Ordinance S-49470) on March 1, 2023.

Financial Impact

Traditionally, the MAG Arterial Life Cycle Program can contribute up to 70 percent of

the total project cost and requires member agencies to participate with 30 percent of the total project cost. The current total project cost (design, right-of-way acquisition and construction) is estimated at $27,304,829. Using this estimate, the region could contribute up to $19,113,830. Up until recently, the project was only partially funded with regional dollars at $6.595 million. With the additional State earmark of $12.5 million, the total regional participation is now $19.095 million. The City's participation is now estimated at $8.2 million. Funding is available in the Street Transportation Department's Capital Improvement Program.

Location
Happy Valley Road, 67th to 35th avenues
Council District: 1

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the Street Transportation Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 81

Supply of Pumps, Repair, Parts and Accessories - Amendment (Ordinance S-50033)

Request to authorize the City Manager, or his designee, to execute an amendment to Agreements 150514, 150517, 150520, 150519, 150521, 150518 with James, Cooke & Hobson, Inc., Capital Pump and Equipment, LLC, Hennesy Mechanical Sales, LLC, Keller Electrical Industries, LLC, Gicon Pumps and Equipment, LTD. and Phoenix Pumps, Inc. to provide additional funding to the agreement. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures included in this amendment will not exceed $6,500,000.

Summary

The purpose of this amendment is to request additional funds to allow the six contracted firms to provide the City with the necessary pumps, parts, accessories and repair services throughout five City departments. The additional funding is required due to significant price increases absorbed over the last two years and will allow the City to obtain the required maintenance and repair of a variety of pumps for the remaining term of the contract.

This agreement is being used by the Water Services, Parks and Recreation, Phoenix Convention Center, Aviation and Public Works departments for the purchase of pumps and parts, as well as the repair, installation and required maintenance of pumps throughout the City.

Contract Term

The agreements' term will remain unchanged, ending on Sept. 30, 2024.

Financial Impact

The initial authorization for Pumps, Parts, Accessories and Repair Services was for an expenditure not-to-exceed $13,685,000.

This amendment will increase the agreement by an additional $6,500,000 for a new total not-to-exceed agreement value of $20,185,000.

Funding for this amendment is available in the Water Services, Parks and Recreation, Phoenix Convention Center, Aviation and Public Works departments' Operating budgets.

Responsible Department
This item is submitted by Deputy City Managers Ginger Spencer, Inger Erickson, Mario Paniagua, and Interim Deputy City Manager John Chan, and the Water Services, Parks and Recreation, Phoenix Convention Center, Aviation and Public Works departments.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 82

Sanitary Sewer Rehabilitation Program - Construction Administration and Inspection Services - WS90500118 and WS90500299 (Ordinance S-50039)

Request to authorize the City Manager, or his designee, to enter into an agreement with Dibble & Associates Consulting Engineers, Inc. to provide Construction Administration and Inspection Services for the Sanitary Sewer Rehabilitation Program. Further request to authorize execution of amendments to the agreement as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item. The fee for services will not exceed $12.5 million.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The purpose of this project is to rehabilitate small diameter sanitary sewer, manhole rehabilitation or replacement, manhole coatings on Developer projects, and cured-in-place-pipe liner installation on Developer projects. Small diameter sanitary sewer rehabilitation consists of rehabilitating deteriorated or older sanitary sewers in the City of Phoenix wastewater collection system.

Dibble & Associates Consulting Engineers, Inc.'s (Dibble) services include, but are not limited to: managing up to five Job Order Contractors (JOC) for pipe rehabilitation and up to five JOCs for manhole rehabilitation. In addition, it is anticipated there will be various job order agreements for the point repairs and manhole adjustments and low bid contracts for pipe rehabilitation. Dibble will utilize Artificial Intelligence (AI) to assess older infrastructure and will oversee the process and implementation of AI to

the program. The consultant must have experience with GIS and Asset Management and is expected to manage data input from staff and contractors.

Procurement Information
The selection was made using a qualifications-based selection process set forth in section 34-603 of the Arizona Revised Statutes (A.R.S.). In accordance with A.R.S. section 34-603(H), the City may not publicly release information on proposals received or the scoring results until an agreement is awarded. Two firms submitted proposals and are listed below.

Selected Firm
Rank 1: Dibble & Associates Consulting Engineers, Inc.

Additional Proposers
Rank 2: Stanley Consultants, Inc.

Contract Term
The term of the agreement is five years from the issuance of the Notice to Proceed. Work scope identified and incorporated into the agreement prior to the end of the term may be agreed to by the parties, and work may extend past the termination of the agreement. No additional changes may be executed after the end of the term.

Financial Impact
The agreement value for Dibble will not exceed $12.5 million, including all subconsultant and reimbursable costs.

Funding is available in the Water Services Department's Capital Improvement Program budget. The Budget and Research Department will separately review and approve funding availability prior to execution of any amendments. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Responsible Department
This item is submitted by Deputy City Managers Ginger Spencer and Alan Stephenson, the Water Services Department and the City Engineer.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 83

Trane Energy Management Control Systems Services - Amendment (Ordinance S-50054)

Request to authorize the City Manager, or his designee, to execute an amendment to Contract 158075 with Trane U.S., Inc., to modify the scope of work to provide services at Water Services Department facilities and allow additional expenditures. Further request to authorize the City Controller to disburse all funds related to this item. The additional expenditures will not exceed $247,000.

Summary
The purpose of the amendment is to provide the Water Services Department (WSD) the opportunity to utilize the Trane Energy Management Control Systems Services contract to provide programming, maintenance, and repair of Trane Energy Management Control Systems (EMCS) for existing systems on an as-needed basis. The agreement will allow necessary maintenance and repairs on these systems, which is necessary for proper operation, temperature control, and regulation of energy consumption in the facilities. The agreement will include all labor, materials, equipment, and other incidentals necessary to provide this service.

Contract Term
The contract term remains unchanged, ending on April 30, 2028.

Financial Impact
Upon approval of $247,000 in additional expenditures, the revised aggregate value of the contract will not exceed $2,327,000.

Funds are available in the Water Services Department's budget.

Concurrence/Previous Council Action
The City Council approved Trane Energy Management Control Systems Services Agreement 158075 (Ordinance S-49551) on April 5, 2023.

Responsible Department
This item is submitted by Deputy City Managers Mario Paniagua and Ginger Spencer, and the Public Works and Water Services departments.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 84

Design and Construction Contract Awards During City Council Summer Recess (Ordinance S-50049)

Request to authorize the City Manager, or his designee, to award up to six contracts in support of critical construction projects during the City Council summer recess. Further request to authorize execution of amendments to the agreements as necessary within the Council-approved expenditure authority as provided below, and for the City Controller to disburse all funds related to this item.

Additionally, request to authorize the City Manager, or his designee, to take all action as may be necessary or appropriate and to execute all design and construction agreements, licenses, permits, and requests for utility services related to the development, design and construction of the project. Such utility services include, but are not limited to: electrical, water, sewer, natural gas, telecommunication, cable television, railroads and other modes of transportation. Further request the City Council to grant an exception to Phoenix City Code 42-20 to authorize inclusion in the documents pertaining to this transaction of indemnification and assumption of liability provisions that otherwise should be prohibited by Phoenix City Code 42-18. This authorization excludes any transaction involving an interest in real property.

Summary

The Street Transportation Department has identified the following items as urgent, critical and requiring contract services for projects that have extremely tight deadlines. The procurements are scheduled to complete selection in July 2023, which will not allow contract awards to occur prior to Council's summer recess. The scope, contract services and corresponding cost estimates are as follows:

- Item 1: T007310000 - Adams Street Garage Elevator Refurbishment Design-Bid-Build Services. Award to one firm in an amount not to exceed $2.5 million. Funding is available in the Parking Garage Trust Fund.

- Item 2: AH20300003 - Edison Impact Hub Abatement and Demolition Design-Bid-Build Services. Award to one firm in an amount not to exceed $850,000. Funding is available through the American Rescue Plan Act.

- Item 3: AH10010002 - US Vets Phase 2 Design-Bid-Build Services. Award one firm in an amount not to exceed $3 million. Funding is available through the American Rescue Plan Act.

- Item 4: 4108JOC215 - Transmission Main Repair and Rehabilitation Job Order Contract Services. Award to two firms in an amount not to exceed $5 million each. Funding is available through various Capital Improvement Program or Operating budgets.

- Item 5: AV21000112 - Phoenix Sky Harbor International Airport Terminal 4 Infrastructure Passenger Boarding Bridges Engineering Services. Award to one firm in an amount not to exceed $500,000. Funding is available through the Bipartisan Infrastructure Bill Aviation Capital Grants.

Procurement Information
The City Engineer and Street Transportation Department recommend the award of contracts by the City Manager during the summer recess to the firms who provide the best value to the City based on scoring criteria that evaluates the technical capabilities as well as price proposals submitted by the firms in response to the City's requests for qualifications or bids for the projects listed above.

Financial Impact
Capital Improvement Program or Operating budget funding may be utilized. Authorization is requested to execute job order agreements for up to $2 million each. In no event will any job order agreement exceed this limit without Council approval to increase the limit. Payments may be made up to agreement limits for all rendered agreement services, which may extend past the agreement termination.

Responsible Department
This item is submitted by Deputy City Managers Gina Montes, Mario Paniagua, Ginger Spencer and Alan Stephenson, the Housing, Public Works, Aviation and Water Services departments, and the City Engineer.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 85

Final Plat - Hilton Phoenix Resort at the Peak - PLAT 220070 - Southeast Corner of Belmont Avenue and 18th Street

Plat: 220070
Project: 00-501
Name of Plat: Hilton Phoenix Resort at the Peak
Owner: Cref3 Hsp Owner, LLC
Engineer: Michael A. Banta, RLS
Request: A Four-Lot Commercial Plat
Reviewed by Staff: June 8, 2023
Final Plat requires Formal Action Only

Summary
Staff requests that the above plat be approved by the City Council and certified by the City Clerk. Recording of the plat dedicates the streets and easements as shown to the public.

Location
Generally located on the southeast corner of Belmont Avenue and 18th Street
Council District: 6

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 86

Abandonment of Right-of-Way - ABND 220039 - 29th Avenue and Colter Street (Resolution 22141)

Abandonment: ABND 220039
Project: 19-22
Applicant: Baird Fullerton, P.E.
Request: To abandon 29th Avenue between Missouri Avenue and Camelback Road and Colter Street between 27th Avenue and its terminus west of 29th Avenue.
Date of Decision/Hearing: Nov. 10, 2022

Location
29th Avenue and Colter Street
Council District: 5

Financial Impact
A consideration fee was also collected as part of this right-of-way abandonment in the amount of $460,000.

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 87

Abandonment of Right-of-Way - ABND 200541 - Van Buren Street and 24th Place (Resolution 22140)

Abandonment: ABND 200541
Project: 20-2825
Applicant: MO 25 LLC
Request: To abandon 25th Street right-of-way, bounded by Van Buren Street/Monroe Street and 2501 E. Van Buren St., 2445 E. Van Buren St. and 2446 E. Monroe St.
Date of Decision/Hearing: Sept. 24, 2020

Location
Van Buren Street and 24th Place
Council District: 8

Financial Impact
A consideration fee was also collected as part of this abandonment in the amount of $50,700.

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 88

Abandonment of Easement - ABND 220064 - Central Avenue and Pierce Street (Resolution 22142)

Abandonment: ABND 220064
Project: 22-3017
Applicant: Downtown Phoenix Resi Owner, LLC, c/o Clayco, Inc.
Request: To abandon the eight-foot public utility easement along south property of Assessor Parcel Number 111-43-151.
Date of Decision/Hearing: Feb. 3, 2023

Location
Central Avenue and Pierce Street
Council District: 8

Financial Impact
Pursuant to Phoenix City Code Article 5, Section 31-64 (e) as the City acknowledges the public benefit received by the generation of additional revenue from the private tax rolls and by the elimination of third-party general liability claims against the city, maintenance expenses, and undesirable traffic patterns, also replatting of the area with alternate roadways and new development as sufficient and appropriate consideration in this matter.

None. No consideration fee was required as a part of this easement abandonment, although filing fees were paid.

Responsible Department
This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 89

Amend City Code - Official Supplementary Zoning Map 1243 (Ordinance G-7137)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1243. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-17-06 and the entitlements are fully vested.

Summary

To rezone a parcel along the Southern Avenue right-of-way between 27th Avenue and approximately the 37th Avenue alignment and along the 35th Avenue right-of-way between Southern Avenue and the Alta Vista Road alignment.
Application No.: Z-17-06
Zoning: S-1
Owner: City of Phoenix
Acreage: 14.26

Location

Along the Southern Avenue right-of-way between 27th Avenue and approximately the 37th Avenue alignment and along the 35th Avenue right-of-way between Southern Avenue and the Alta Vista Road alignment.
Address: N/A
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY ADOPTING OFFICIAL SUPPLEMENTARY ZONING MAP 1243.

_____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is hereby amended by adopting Official Supplementary Zoning Map 1243, which accompanies and is annexed to this ordinance and declared a part hereof.

PASSED by the Council of the City of Phoenix this 3rd day of July, 2023.

_____
M A Y O R

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:

DRAFT

Julie M. Kriegh, City Attorney

By:_____

_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

PL:arm:LF23-1704:7-3-2023

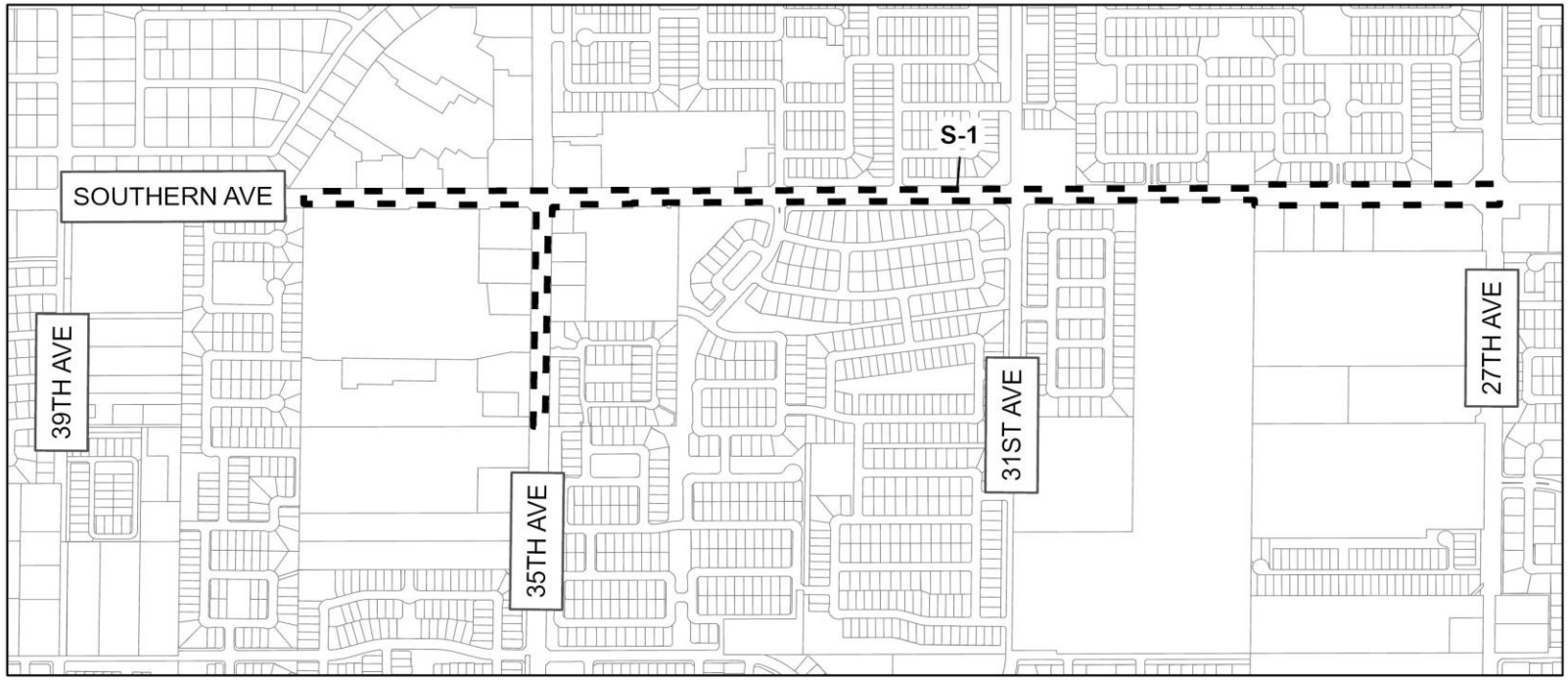
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OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1243

Sheet 1 of 1

ORDINANCE NO. _____ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 3rd day of July 2023.



Z-17-06

Drawn by: KS

N

ZONING SUBJECT TO STIPULATIONS: *

AREA INVOLVED BOUNDED THUS: - - - -

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 90

Amend City Code - Official Supplementary Zoning Map 1244 (Ordinance G-7138)

Request to authorize the City Manager to amend Section 601 of the Phoenix Zoning Ordinance by adopting Official Supplementary Zoning Map 1244. This amendment reflects that the property owner has met all of the rezoning conditions previously approved by City Council with Z-9-07 and the entitlements are fully vested.

Summary

To rezone a parcel along 27th Avenue right-of-way between Broadway Road and Southern Avenue.
Application No.: Z-9-07
Zoning: S-1
Owner: City of Phoenix
Acreage: 9.73

Location

Along 27th Avenue right-of-way between Broadway Road and Southern Avenue.
Address: N/A
Council District: 7

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY ADOPTING OFFICIAL SUPPLEMENTARY ZONING MAP 1244.

_____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That Section 601 of the City of Phoenix Zoning Ordinance is hereby amended by adopting Official Supplementary Zoning Map 1244, which accompanies and is annexed to this ordinance and declared a part hereof.

PASSED by the Council of the City of Phoenix this 3rd day of July, 2023.

_____
M A Y O R

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:

DRAFT

Julie M. Kriegh, City Attorney

By:_____

_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

PL:arm:LF23-1705:7-3-2023

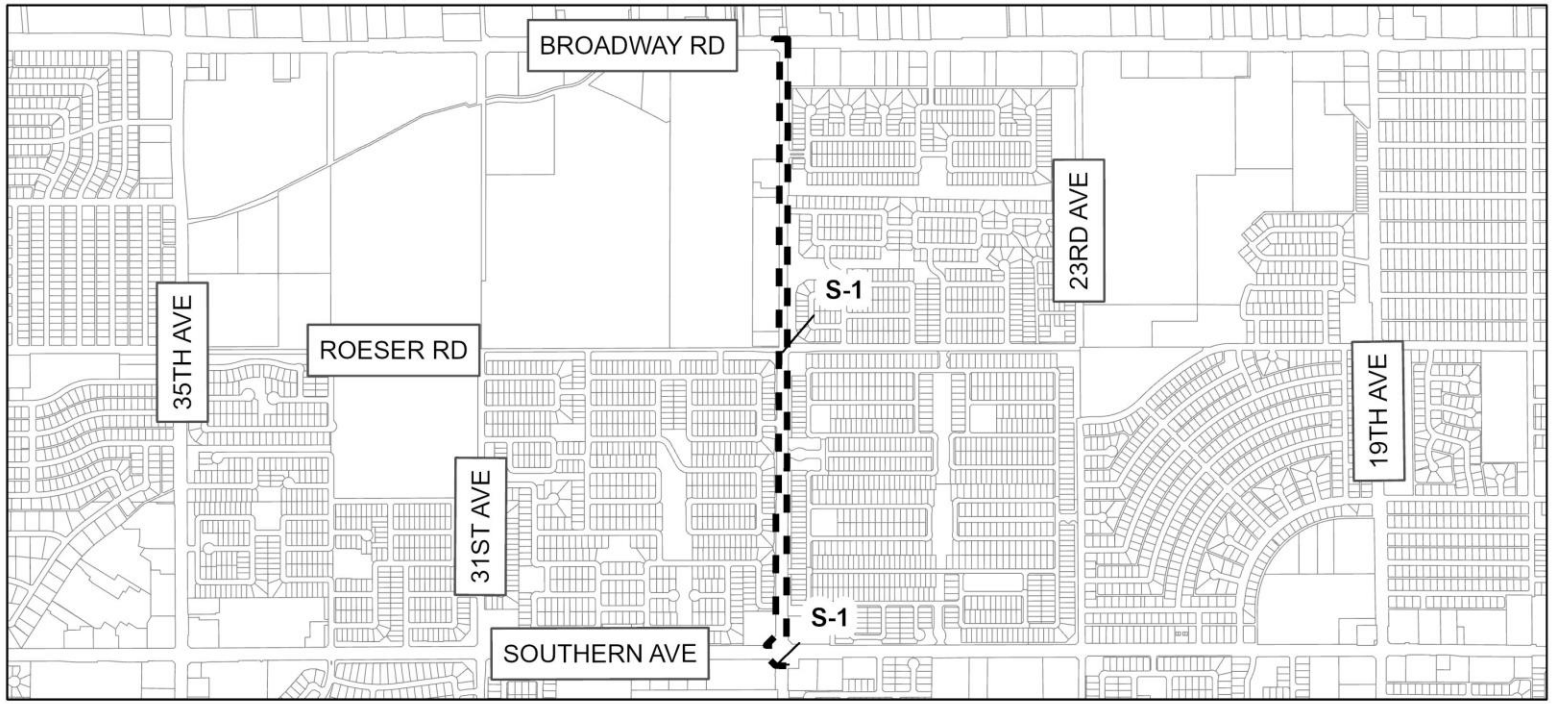
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OFFICIAL SUPPLEMENTARY ZONING MAP NO. 1244

Sheet 1 of 1

ORDINANCE NO. _____ AMENDING SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE

Passed by the Council of the City of Phoenix, Arizona this 3rd day of July 2023.



Z-9-07

Drawn by: KS

N

ZONING SUBJECT TO STIPULATIONS: *

AREA INVOLVED BOUNDED THUS: - - - -

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 91

Amend City Code - Ordinance Adoption - Rezoning Application Z-11-23-6 - Approximately 1,070 Feet West of the Southwest Corner of 55th Street and Van Buren Street (Ordinance G-7135)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-11-23-6 and rezone the site from C-3 (General Commercial) and A-1 (Light Industrial District) to R-5 (Multifamily Residence District) to allow multifamily residential.

Summary

Current Zoning: C-3 (4.08 acres) and A-1 (1.61 acres)
Proposed Zoning: R-5
Acreage: 5.69 acres
Proposal: Multifamily residential

Owner: Clear Sky Capital Van Buren LP, et al.
Applicant/Representative: Wendy Riddell, Berry Riddell, LLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Camelback East Village Planning Committee heard this case on May 2, 2023, and recommended approval, per the staff recommendation, by a vote of 17-0.
PC Action: The Planning Commission heard this case on June 1, 2023, and recommended approval, per the Camelback East Village Planning Committee recommendation, with a deleted stipulation, by a vote of 8-0.

Location

Approximately 1,070 feet west of the southwest corner of 55th Street and Van Buren Street
Council District: 6
Parcel Address: 5301, 5303, 5305, 5309, 5315 and 5327 E. Van Buren St.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-11-23-6) FROM C-3 (GENERAL COMMERICAL) AND A-1 (LIGHT INDUSTRIAL DISTRICT) TO R-5 (MULTIFAMILY RESIDENCE DISTRICT).

_____

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 5.69-acre site located approximately 1,070 feet west of the southwest corner of 55th Street and Van Buren Street in a portion of Section 8, Township 1 North, Range 4 East, as described more specifically in Exhibit "A," is hereby changed from 4.08 acres of "C-3" (General Commercial) and 1.61 acres of "A-1" (Light Industrial District) to "R-5" (Multifamily Residence District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following

DRAFT

stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. Bicycle infrastructure shall be provided as described below, located near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance. Bicycle parking spaces shall be provided through inverted U and/or artistic racks. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan, as approved by the Planning and Development Department.

    a. Secured bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces.

    b. Guest bicycle parking shall be provided at a minimum of 0.05 spaces per dwelling unit, up to a maximum of 50 required spaces.

    c. 120-volt receptacle shall be installed for a minimum of 10% of the required secured bicycle parking spaces for electric bicycle charging capabilities.

    d. A bicycle repair station (“fix it station”) shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:

        i. Standard repair tools affixed to the station;

        ii. A tire gauge and pump affixed to the based of the station or the ground;

        iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

2. A minimum 10% of the required parking spaces shall provide EV installed infrastructure, as approved by the Planning and Development Department.

3. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.

4. Right-of-way shall be dedicated and a bus stop pad shall be constructed along eastbound Van Buren Street. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet and shall be spaced from an intersection according to City of Phoenix Standard Detail P1258. The bus stop pad shall be shaded a minimum of 75% by a

combination of structural shade and/or vegetative cover, as approved by the Planning and Development Department.

5. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.

6. Right-of-way totaling 65-feet shall be dedicated for the south half of Van Buren Street, as approved by the Planning and Development Department.

7. A minimum 6-foot-wide detached sidewalk separated by a minimum 10-foot-wide landscape strip located between the back of curb and sidewalk along the south side of Van Buren Street, as approved by the Planning and Development Department.

8. The existing median in Van Buren Street shall be extended to the eastern parcel line of the subject parcel and a 40-foot P-1243-5 right-in/right-out/left-in only driveway shall be provided per the approved Traffic Impact Analysis and as approved by the Planning and Development Department.

9. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.

10. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

11. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

12. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

13. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

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14. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of July, 2023.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

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Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-11-23-6

A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA, MOR PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 8;

THENCE SOUTH 89 DEGREES 41 MINUTES 00 SECONDS EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 662.72 FEET TO A POINT ON THE NORTHERLY PROLONGATION OF THE EAST LINE OF LOT 1 AS SHOWN ON THE FINAL PLAT FOR 202 & VAN BUREN, RECORDED IN BOOK 1355 OF MAPS, PAGE 02, RECORDS OF SAID COUNTY, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 41 MINUTES 00 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 250.69 FEET TO A POINT ON THE NORTHERLY PROLONGATION OF THE WEST LINE OF THE CONDOMINIUM PLAT OF RIVERWALK CONDOMINIUM, RECORDED IN BOOK 826 OF MAPS, PAGE 11, RECORDS OF SAID COUNTY;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID NORTHERLY PROLONGATION AND THE WEST LINE OF SAID RIVERWALK CONDOMINIUM A DISTANCE OF 940.01 FEET TO THE SOUTHWEST CORNER OF SAID RIVERWALK CONDOMINIUM;

THENCE NORTH 89 DEGREES 41 MINUTES 00 SECONDS WEST A DISTANCE OF 280.32 FEET TO THE EAST LINE OF SAID LOT 1;

(THE FOLLOWING THREE CALLS ARE CONTERMINOUS WITH SAID NORTHERLY PROLONGATION AND THE EAST LINE OF SAID LOT 1)
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 674.95 FEET;

THENCE SOUTH 89 DEGREES 41 MINUTES 00 SECONDS EAST A DISTANCE OF 28.94 FEET;

THENCE NORTH 00 DEGREES 09 MINUTES 00 SECONDS EAST A DISTANCE OF 265.06 FEET TO THE POINT OF BEGINNING;

APN: 124-13-014, 124-13-015, 124-13-016A, 124-14-025

Gross Acreage: 247,856.4 sq ft (5.69 acres)

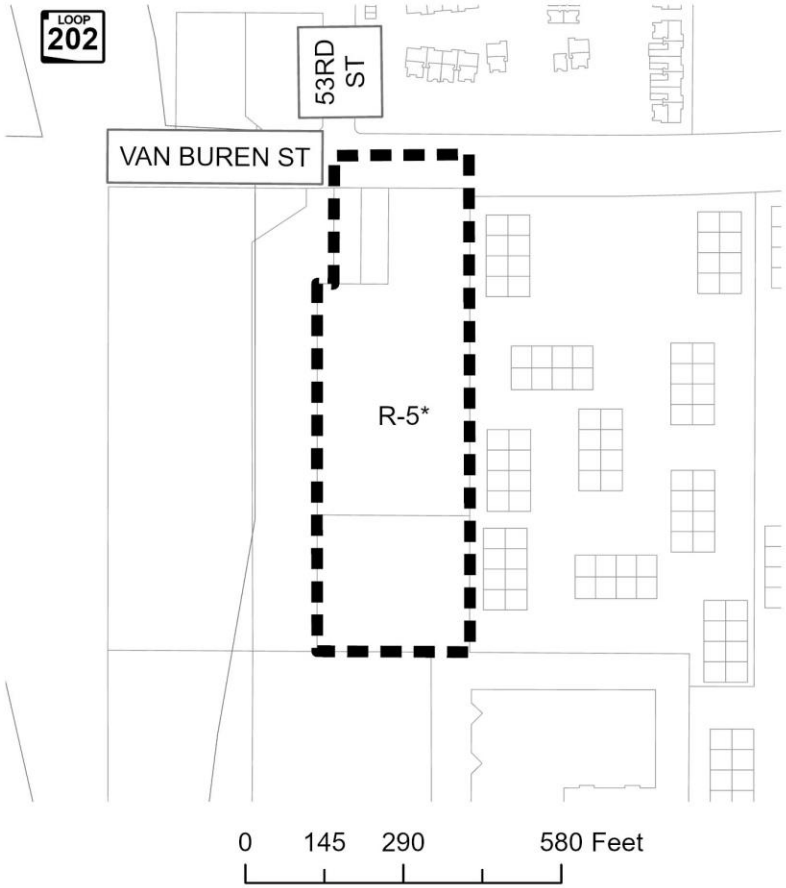
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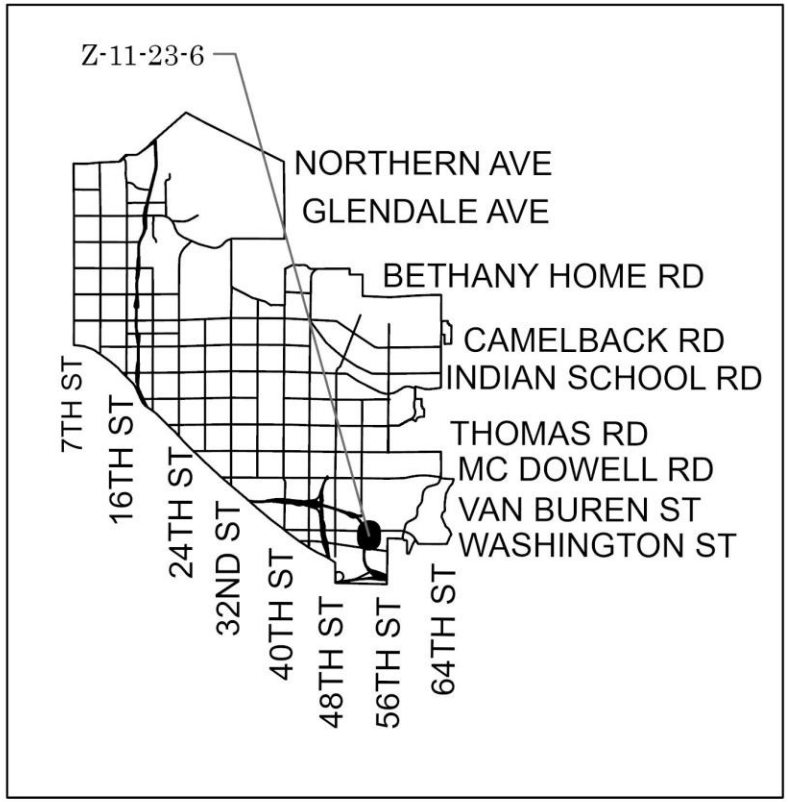
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-11-23-6
Zoning Overlay: N/A
Planning Village: Camelback East





NOT TO SCALE

N

Drawn Date: 6/5/2023

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City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 92

Amend City Code - Ordinance Adoption - Rezoning Application Z-8-23-8 - Southeast Corner of 32nd Street and Roosevelt Street (Ordinance G-7136)

Request to amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-8-23-8 and rezone the site from C -1 (Neighborhood Retail) to WU Code T5:2 GW (Walkable Urban Code, Transect T5:2 District, Transit Gateway Character Area) to allow a tobacco oriented retailer.

Summary

Current Zoning: C-1
Proposed Zoning: WU Code T5:2 GW
Acreage: 0.53 acres
Proposal: Tobacco Oriented Retailer

Owner: Jose Armijo and Virginia Provencio
Applicant: Ayzen Al JaJou
Representative: Kathleen Shaffer, May, Potenza, Baran & Gillespie, P.C.

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Central City Village Planning Committee was scheduled to hear this case on May 8, 2023, for recommendation; however, there was no quorum.
PC Action: The Planning Commission heard this case on June 1, 2023, and recommended approval, per the staff recommendation, by a vote of 8-0.

Location

Southeast corner of 32nd Street and Roosevelt Street
Council District: 8
Parcel Address: 3143 E. Roosevelt St.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-8-23-8) FROM C-1 (NEIGHBORHOOD RETAIL) TO WU CODE T5:2 GW (WALKABLE URBAN CODE, TRANSECT T5:2 DISTRICT, TRANSIT GATEWAY CHARACTER AREA).

_____

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 0.53 acre site located at the southwest corner of 32nd Street and Roosevelt Street in a portion of Section 2, Township 1 North, Range 3 East, as described more specifically in Exhibit “A,” is hereby changed from “C-1” (Neighborhood Retail) to “WU Code T5:2 GW” (Walkable Urban Code, Transect T5:2 District, Transit Gateway Character Area).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

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violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

2. Upon complete redevelopment or development that modifies the cumulative floor area of any building by more than 15%, including demolition, from that depicted on the site plan date stamped January 27, 2023, a minimum of 1% of the required parking spaces shall include EV installed infrastructure.

3. Upon complete redevelopment or development that modifies the cumulative floor area of any building by more than 15%, including demolition, from that depicted on the site plan date stamped January 27, 2023, the developer shall dedicate right-of-way and construct a bus stop pad on southbound 32nd Street. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet and shall be spaced from Roosevelt Street according to City of Phoenix Standard Detail P1258. Trees shall be placed to provide minimum 50% shade coverage to the bus stop pad at full maturity, as approved by the Planning and Development Department.

4. Upon complete redevelopment or development that modifies the cumulative floor area of any building by more than 15%, including demolition, from that depicted on the site plan date stamped January 27, 2023, a 10-foot sidewalk easement shall be dedicated on both Roosevelt Street and 32nd Street, as approved by the Planning and Development Department.

5. Upon complete redevelopment or development that modifies the cumulative floor area of any building by more than 15%, including demolition, from that depicted on the site plan date stamped January 27, 2023, access to the site shall be from the alley and no driveways or parking shall be permitted on Roosevelt Street or 32nd Street. Vehicular maneuvering shall be on site.

6. Upon complete redevelopment or development that modifies the cumulative floor area of any building by more than 15%, including demolition, from that depicted on the site plan date stamped January 27, 2023, the developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility

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standards.

7. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

8. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

9. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

10. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of July, 2023.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

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APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-8-23-8

THE SOUTHEAST 1/4 OF SECTION 2 IN TOWNSHIP 01 NORTH, RANGE 03 EAST, LOT ONE (1), EVERLEE TERRACE, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 55 OF MAPS, PAGE 26.

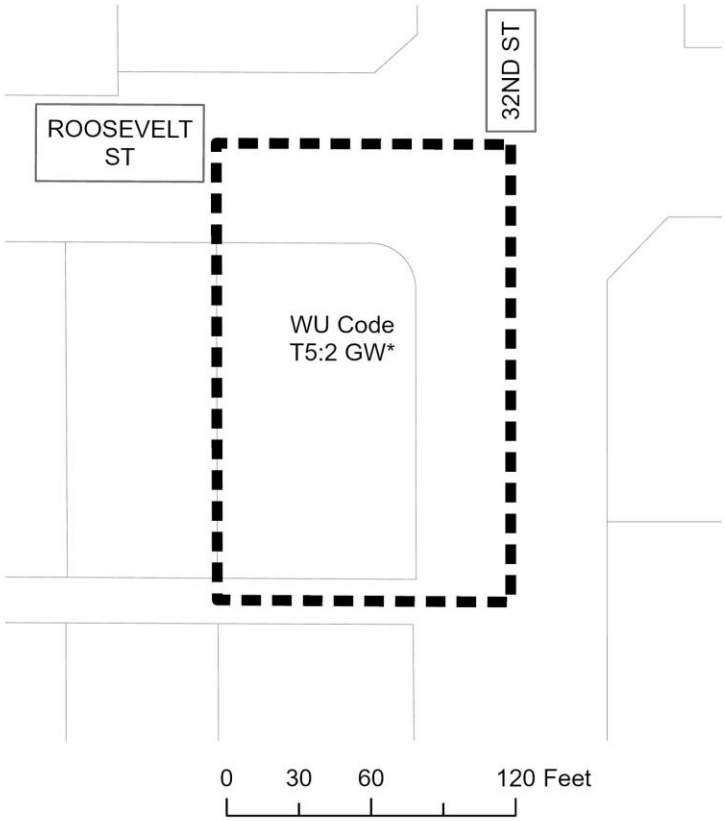
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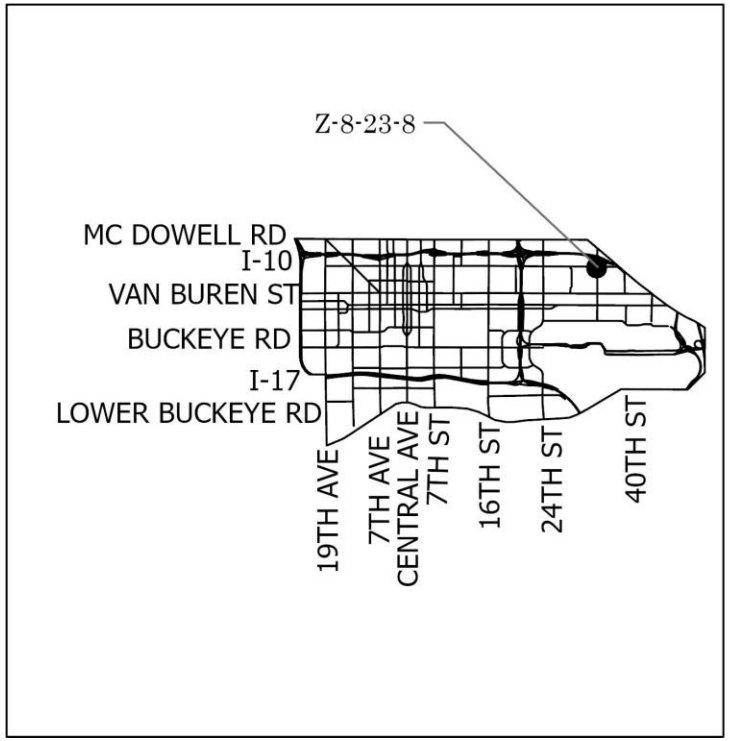
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-8-23-8
Zoning Overlay: N/A
Planning Village: Central City





NOT TO SCALE

N

Drawn Date: 6/5/2023

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City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 93

Public Hearing and Resolution Adoption - General Plan Amendment GPA-EST-1-23-7 - Southwest Corner of 51st Avenue and Broadway Road (Resolution 22139)

Request to hold a public hearing on a General Plan Amendment for the following item to consider adopting the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 26.08 acres from Residential 10 to 15 dwelling units per acre to Mixed Use (Industrial / Commerce/Business Park). This item is a companion case to Z-13-23-7 and must be heard first, followed by Z-13-23-7.

Summary

Application: GPA-EST-1-23-7
Current Designation: Residential 10 to 15 dwelling units per acre
Proposed Plan Designation: Mixed Use (Industrial / Commerce/Business Park)
Acreage: 26.08 acres
Proposal: Minor General Plan Amendment to allow commerce park and industrial uses

Owner: FPE51, LLC
Applicant: Fisher Sand and Gravel
Representative: Adam Baugh; Withey Morris Baugh, PLC

Staff Recommendation: Approval.
VPC Action: The Estrella Village Planning Committee was scheduled to hear this case on May 16, 2023, for recommendation; however, there was no quorum.
PC Action: The Planning Commission heard the case on June 1, 2023, and recommended approval, per the staff recommendation, by a vote of 8-0.

Location

Southwest corner of 51st Avenue and Broadway Road
Council District: 7
Parcel Address: 5175 W. Broadway Road

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED RESOLUTION

RESOLUTION

A RESOLUTION ADOPTING AN AMENDMENT TO THE 2015 GENERAL PLAN FOR PHOENIX, APPLICATION GPA-EST-1-23-7, CHANGING THE LAND USE CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN.

_____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The 2015 Phoenix General Plan, which was adopted by Resolution 21307, is hereby amended by adopting GPA-EST-1-23-7. The 26.08 acres located at the southwest corner of 51st Avenue and Broadway Road is designated as Mixed Use (Industrial / Commerce/Business Park).

SECTON 2. The Planning and Development Director is instructed to modify the 2015 Phoenix General Plan to reflect this land use classification change as shown below:

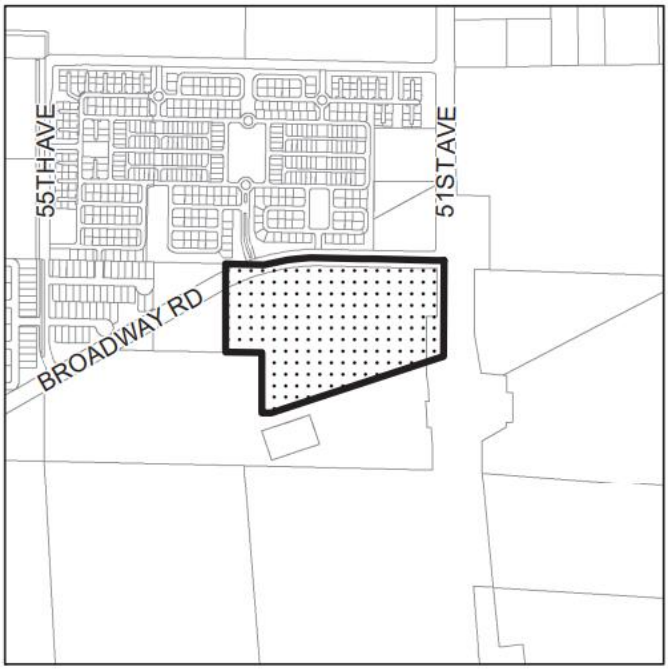
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PROPOSED CHANGE:

Mixed Use (Industrial / Commerce / Business Park) (26.08 +/- Acres)

Proposed Change Area

Mixed Use (Industrial / Commerce / Business Park)



PASSED by the Council of the City of Phoenix this 3rd day of July 2023.

_____

M A Y O R

ATTEST:

_____

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

DRAFT

By:_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

DRAFT

ATTACHMENT B

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

GENERAL PLAN AMENDMENT
STAFF ANALYSIS
May 10, 2023

Application:	GPA-EST-1-23-7
Owner:	FPE51, LLC
Applicant:	Fisher Sand and Gravel
Representative:	Adam Baugh, Withey Morris Baugh, PLC
Location:	Southwest corner of 51st Avenue and Broadway Road
Acreage:	26.08 acres
Current Plan Designation:	Residential 10 to 15 dwelling units per acre
Requested Plan Designation:	Mixed Use (Industrial / Commerce/Business Park)
Reason for Requested Change:	Minor General Plan Amendment to allow commerce park and industrial uses
Estrella Village Planning Committee Meeting Date:	May 16, 2023
Staff Recommendation:	Approval

FINDINGS:

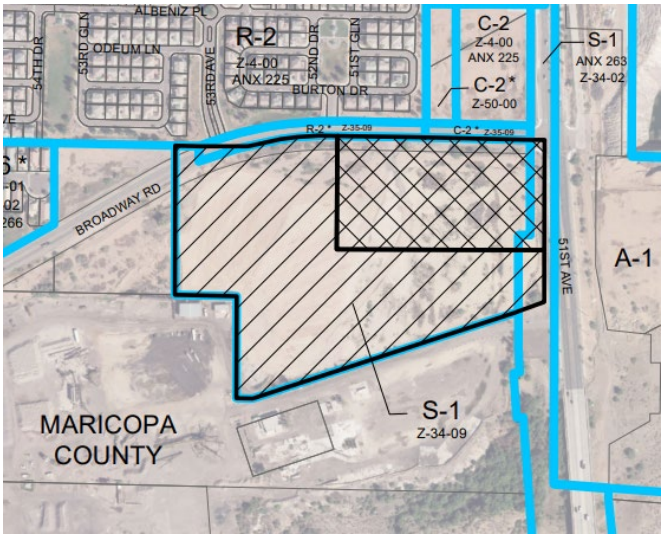
1) The proposed Industrial / Commerce/Business Park Land Use Map designation provides for a land use mix that is consistent with the surrounding land uses to the south and east.

2) The companion rezoning case, Z-13-23-7, as stipulated, proposes development that is consistent in scale and character with land uses in the general area, and provides a transition to residential uses north of Broadway Road.

3) The proposed Industrial / Commerce/Business Park land use designation will be consistent with the zoning districts proposed on the site to maximize employment opportunities within the Estrella Village.

BACKGROUND

The subject site is 26.08 gross acres located on the southwest corner of 51st Avenue and Broadway Road. The entire site is vacant land, zoned S-1 (Ranch or Farm Residence) (25.97 acres) and R-2 (Multifamily Residence District) (0.11 acres). The existing General Plan Land Use Map designation is Residential 10 to 15 dwelling units per acre.



Aerial Zoning Map
Source: Planning and Development Department

GPA-EST-1-23-7 proposes a minor amendment to the General Plan Land Use Map to allow industrial and commerce park uses. The proposal is to modify the land use designation to Mixed Use (Industrial / Commerce/Business Park).
The companion rezoning case, Z-13-23-7, proposes a commerce park and industrial development that is consistent with the proposed land use designation.

SURROUNDING LAND USES

The subject site consists of vacant undeveloped land. The current General Plan Land Use Map designation for the site is Residential 10 to 15 dwelling unit per acre.

NORTH
Northeast of the subject site, across Broadway Road, is vacant land designated Comercial on the General Plan Land Use Map. The remainder of the area to the north is a single-family residential subdivison designated Residential 5 to 10 dwelling units per acre.

EAST
East of the subject site, across 51st Avenue is vacant land adjacent to mining operations. The area is designated Residential 10 to 15 dweling units per acre.

WEST
West of the subject site are mining operations located in the Maricopa County jurisdiction. This area is designated Residential 10 to 15 dwelling units per acre on the Genearl Plan Land Use Map.

SOUTH

South of the subject site are mining operations located in the Maricopa County juisdiction. This area is designated Residential 10 to 15 dwelling units per acre and Parks/Open Space – Publicly Owned.

RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES

STRENGTHEN OUR LOCAL ECONOMY CORE VALUE

- **ENTREPRENEURS AND EMERGING ENTERPRISES; LAND USE PRINCIPLE: Encourage land uses that promote the growth of entrepreneurs or new businesses in Phoenix in appropriate locations.**

  This General Plan Amendment request, with the companion rezoning request, Z-13-23-7, will support a variety of employment uses adjacent to two arterial streets, Broadway Road and 51st Avenue. The development will provide a place for businesses to operate and grow within the Estrella Village.

CONNECT PEOPLE AND PLACES CORE VALUE

- **CANALS AND TRAILS; DESIGN PRINCIPLE: Provide multi-use trail connections where appropriate.**

  As stipulated in the companion rezoning case, Z-13-23-7, a multi-use trail is required along the 51st Avenue frontage. This future trail will connect to other trails along 51st Avenue that lead to the Rio Salado. Thus, adding to the regional network of trails and improving recreational opportunities.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS

- **SAFE NEIGHBORHOODS, TRAFFIC; LAND USE: Locate major traffic-generating land uses on major streets in areas planned for such uses, or near parkway and freeway access and transit centers or light rail transit stations, and avoid use of local streets.**

  The proposed General Plan Land Use Map designation and companion rezoning case would place proposed traffic-generating employment uses near the Loop 202 freeway.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-EST-1-23-7 as filed. The request aligns with the goals and policies of the General Plan and will result in a land use designation that will maximize the property's opportunities for development. Along with the companion

rezoning case, Z-13-23-7, the General Plan Amendment will allow for compatible land uses that will provided employment opportunities for the Estrella communtiy.

Writer
Nayeli Sanchez Luna
May 10, 2023

Team Leader
Racelle Escolar

Exhibits
Sketch Maps (2 pages)

GENERAL PLAN AMENDMENT

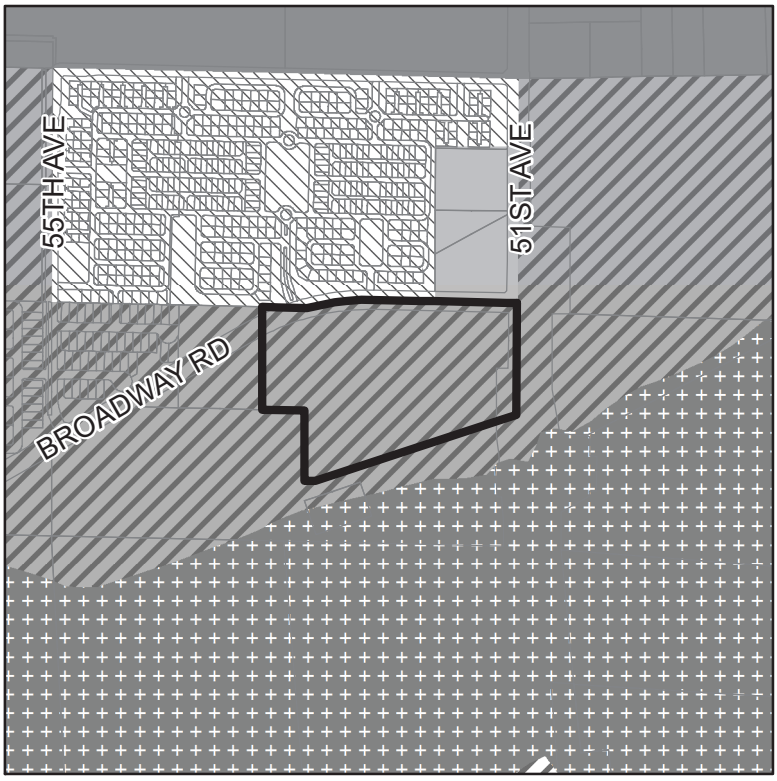
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-EST-1-23-7	ACRES: 26.08 +/-	REVISION DATE:
VILLAGE: Estrella	COUNCIL DISTRICT: 7	4/27/2023
APPLICANT: Fisher Sand and Gravel		

EXISTING:

Residential 10 to15 du/ac (26.08 +/- Acres)

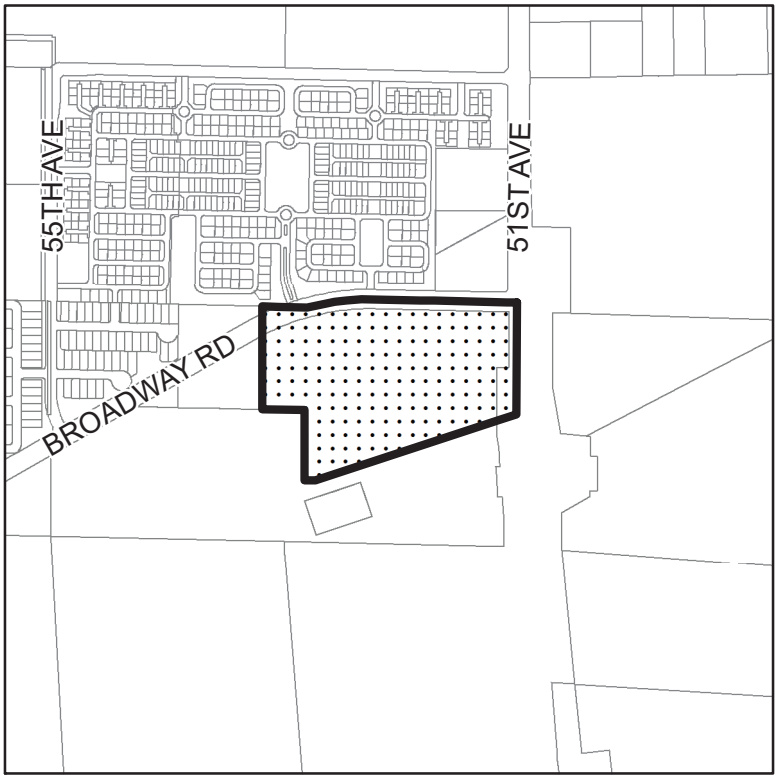
Proposed Change Area
Residential 3.5 to 5 du/acre
Residential 5 to 10 du/acre
Residential 10 to 15 du/acre
Commercial
Industrial
Parks/Open Space - Publicly Owned



PROPOSED CHANGE:

Mixed Use (Industrial / Commerce / Business Park) (26.08 +/- Acres)

Proposed Change Area
Mixed Use (Industrial / Commerce / Business Park)



GENERAL PLAN AMENDMENT

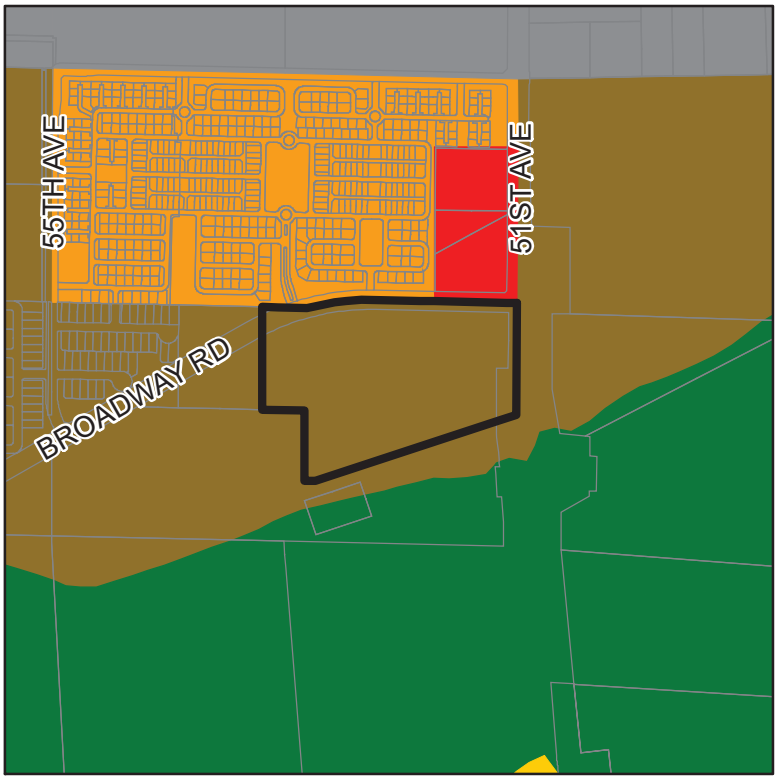
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-EST-1-23-7	ACRES: 26.08 +/-	REVISION DATE:
VILLAGE: Estrella	COUNCIL DISTRICT: 7	4/27/2023
APPLICANT: Fisher Sand and Gravel		

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Residential 10 to15 du/ac (26.08 +/- Acres)

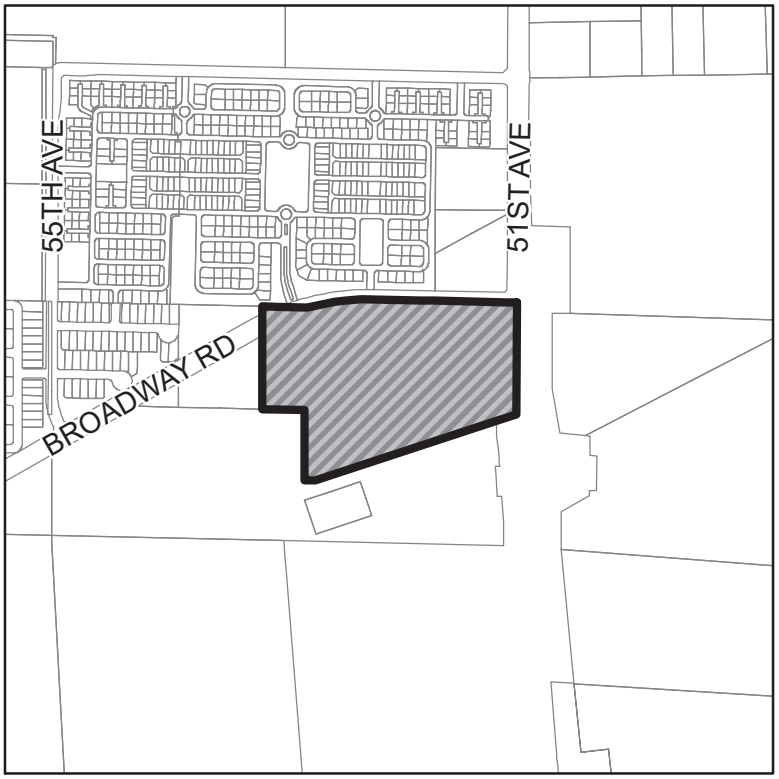
- Proposed Change Area
- Residential 3.5 to 5 du/ac
- Residential 5 to 10 du/ac
- Residential 10 to 15 du/ac
- Commercial
- Industrial
- Parks/Open Space - Publicly Owned



PROPOSED CHANGE:

Mixed Use (Industrial / Commerce / Business Park) (26.08 +/- Acres)

- Proposed Change Area
- Mixed Use (Industrial / Commerce/ Business Park)



ATTACHMENT C

Estrella
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
GPA-EST-1-23-7

Date of VPC Meeting	May 16, 2023
Request From	Residential 10 to 15 dwelling units per acre
Request To	Mixed Use (Industrial / Commerce/Business Park)
Proposed Use	Commerce park and industrial uses
Location	Southwest corner of 51st Avenue and Broadway Road
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:

No quorum.

Staff Comments Regarding the VPC Recommendation:

None.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION
June 1, 2023

ITEM NO: 5	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	GPA-EST-1-23-7 (Companion Case Z-13-23-7)
Request:	Map Amendment
Location:	Southwest corner of 51st Avenue and Broadway Road
From:	Residential 10 to 15 dwelling units per acre
To:	Mixed Use (Commerce/Business Park/Industrial)
Acreage:	26.08
Proposal:	Minor General Plan Amendment to allow commerce park and industrial uses.
Applicant:	Fisher Sand and Gravel
Owner:	FPE51, LLC
Representative:	Adam Baugh, Withey Morris Baugh, PLC

ACTIONS:

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:
Estrella 5/16/2023 No Quorum.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion: N/A

Motion details: Commissioner Perez made a MOTION to approve GPA-EST-1-23-7, per the staff recommendation.

Maker: Perez
Second: Mangum
Vote: 8-0
Absent: Howard
Opposition Present: No

Findings:

1. The proposed Industrial / Commerce/Business Park Land Use Map designation provides for a land use mix that is consistent with the surrounding land uses to the south and east.

2. The companion rezoning case, Z-13-23-7, as stipulated, proposes development that is consistent in scale and character with land uses in the general area, and provides a transition to residential uses north of Broadway Road.

3. The proposed Industrial / Commerce/Business Park land use designation will be consistent with the zoning districts proposed on the site to maximize employment opportunities within the Estrella Village.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 94

Public Hearing and Ordinance Adoption - Rezoning Application Z-13-23-7 - Southwest Corner of 51st Avenue and Broadway Road (Ordinance G-7141)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-13-23-7 and rezone the site from S-1 (Ranch or Farm Residence) and R-2 (Multifamily Residence District) to CP/GCP (Commerce Park District, General Commerce Park Option) and A-1 (Light Industrial District) to allow office, fabrication and vehicle maintenance. This is a companion case and should be heard following GPA-EST-1-23-7.

Summary

Current Zoning: S-1 (25.97 acres) and R-2 (0.11 acres)
Proposed Zoning: CP/GCP (8.03 acres) and A-1 (18.05 acres)
Acreage: 26.08 acres
Proposed Use: Office, fabrication and vehicle maintenance

Owner: FPE51, LLC
Applicant: Fisher Sand and Gravel
Representative: Adam Baugh, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Estrella Village Planning Committee was scheduled to hear this case on May 16, 2023, for recommendation; however, there was no quorum.
PC Action: The Planning Commission heard this case on June 1, 2023, and recommend approval, per the staff recommendation, by a vote of 8-0.

Location

Southwest corner of 51st Avenue and Broadway Road
Council District: 7
Parcel Address: 5175 W. Broadway Road

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-13-23-7) FROM S-1 (RANCH OR FARM RESIDENCE) AND R-2 (MULTIFAMILY RESIDENCE DISTRICT) TO CP/GCP (COMMERCE PARK DISTRICT, GENERAL COMMERCE PARK OPTION) AND A-1 (LIGHT INDUSTRIAL DISTRICT).

_____

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of A 26.08 acre property located at the southwest corner of 51st Avenue and Broadway Road in a portion of Section 20, Township 1 North, Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from 25.97 acres of “S-1” (Ranch or Farm Residence) and 0.11 acres of “R-2” (Multifamily Residence District) to 8.03 acres of “CP/GCP” (Commerce Park District, General Commerce Park Option) and 18.05 acres of “A-1” (Light Industrial District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

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SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The office building as depicted on the site plan date stamped April 25, 2023, shall be in general conformance with the office building elevations date stamped April 3, 2023, with specific regard to the architectural feature on the north and south façade, glass and color pallet as modified by the following stipulations and approved by the Planning and Development Department.

2. The proposed building sizes and locations shall generally conform to the site plan date stamped April 25, 2023, as approved by the Planning and Development Department.

3. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape pallet and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.

4. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the west side of 51st Avenue and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement in accordance with the MAG supplement detail and as approved by the Planning and Development Department.

5. A minimum 30-foot-wide landscape setback shall be provided along the north and east perimeter of the site.

6. The required landscape setbacks along 51st Avenue and Broadway Road shall be planted with minimum 50% 2-inch caliper and 50% 3-inch caliper size trees, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflict exists, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

7. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.

8. All uncovered employee and customer surface parking lot areas shall be landscaped with minimum 2-inch caliper large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the employee and customer

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parking area and achieve a minimum 25% shade at maturity, as approved by Planning and Development Department.

9. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as
approved by the Planning and Development Department.

10. One outdoor employee resting or recreation area of no less than 400-square feet or two 200-square foot areas shall be provided on site. Each required pedestrian area shall include a minimum of two pedestrian seating benches, a table, and constructed of quality and durable materials, and shaded to a minimum of 50 percent using minimum 2-inch caliper large canopy drought-tolerant shade trees and/or architectural shade, as approved by the Planning and Development Department.

11. A minimum of 12 bicycle parking spaces shall be provided through Inverted U and/or artistic racks installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance and or within a secure bicycle storage room, as approved by the Planning and Development Department.

12. The existing detached sidewalk landscape area located between the back of curb and sidewalk shall be maintained along 51st Avenue and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75% shade.

    b. Drought tolerant vegetation maintained no higher than 24 inches to provide a minimum of 75% live coverage at maturity.

    Where utilities conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

13. The existing streetscape along 51st Avenue shall be replenished with appropriate water drip system, as approved by Planning and Development.

14. A minimum of 10% of the required employee and customer parking shall include EV capable infrastructure.

15. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater

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Management, as approved or modified by the Planning and Development Department.

16. The developer shall re-dedicate existing right-of-way easement, dedicated by MCR 87-372362, along Broadway Road as fee title to the City of Phoenix.

17. A minimum 6-foot-wide detached sidewalk and a minimum 10-foot-wide landscape strip between the back of curb and sidewalk shall be provided along the south side of Broadway Road, planted to the following standards as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75% shade.

    b. Drought tolerant vegetation maintained no higher than 24 inches to provide a minimum of 75% live coverage at maturity.

    Where utilities conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

18. A minimum 8-foot-wide detached shared use path (sidewalk) separated by a minimum 8-foot-wide landscape strip between the back of curb and sidewalk shall be provided along the north side of Broadway Road, connecting the existing shared use path (sidewalk) to the subject site's western property line for the small portion of the subject site along the north side of Broadway Road, as approved by the Planning and Development Department.

19. A 14-foot-wide median island shall be constructed and landscaped in Broadway Road from 51st Avenue to the 53rd Avenue. A full access median opening shall be provided at 52nd Avenue. All other access points to be median restricted or as approved by the Street Transportation Department. Coordinate median island and openings design with the Street Transportation Department.

20. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

21. This parcel is in a Special Flood Hazard Area (SFHA) called Zone AE, on panel 2705L of the Flood Insurance Rate Maps (FIRM) dated June 26, 2020. The following requirements shall apply, as approved by the Planning and Development Department:

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a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Street Transportation Department for review and approval of Floodplain requirements.

c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

22. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

23. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

24. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

25. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of July, 2023.

DRAFT

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-13-23-7

CP/GCP ZONING:

That part of the Southeast Quarter of Section 20, Township 1 North, Range 2 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the East Quarter Comer of said Section 20, from which the Center of said Section 20, bears North 88°36'42" West, a distance of 2622.18 feet;

Thence South 00°13'57" West, along the East line of the Southeast Quarter of said Section 20, a distance of 1264.18 feet to the Brass Cap marking the intersection of Broadway Road and 51st Avenue, being the Point of Beginning;

Thence continuing South 00°13'57" West, along said East line, a distance of 430.27 feet; Thence North 89°55'51" West, departing said East line, a distance of 804.65 feet;
Thence North 00°15'21" East, a distance of 448.48 feet to a point on a 1373.91 foot radius non- tangent curve, whose center bears South 00°52'42" West, said point also being a point on the Centerline of said Broadway Road;

Thence Easterly, along said curve and along said Centerline, through a central angle of 00°29'26", a distance of 11.76 feet;

Thence South 88°37'52" East, along said Centerline, a distance of 792.86 feet to the Point of Beginning.

Containing 353,522 Square Feet or 8.116 Acres, more or less.

Section comers described in this legal description are depicted on the Final Plat of River Bend 1, Unit A, as recorded in Book 675 of Maps, Page 11, Records of Maricopa County, Arizona. No field work was performed on this project by Coe & Van Loo Consultants as a basis for the preparation of this legal description.

A-1 ZONING:

That part of the Southeast Quarter of Section 20, Township 1 North, Range 2 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

DRAFT

Commencing at the East Quarter Comer of said Section 20, from which the Center of said Section 20, bears North 88°36^{1}42^{11} West, a distance of 2622.18 feet;

Thence South 00°13^{1}57^{11} West, along the East line of the Southeast Quarter of said Section 20, a distance of 1264.18 feet to the Brass Cap marking the intersection of Broadway Road and 51st Avenue.

Thence continuing South 00°13^{1}57^{11} West, along said East line, a distance of 430.27 feet to the Point of Beginning;
Thence continuing South 00°13^{1}57^{11} West, along said East line, a distance of 202.31 feet; Thence South 71°53^{1}59" West, departing said East line, a distance of 1193.70 feet; Thence North 88°37'36^{11} West, a distance of 62.89 feet;

Thence North 00°13^{1}57^{11} East, a distance of 395.75 feet;
Thence North 88°37'36^{11} West, a distance
of 240.59 feet; Thence North 00°13^{1} 13^{11}
East, a distance of 579.06 feet;

Thence South 88°37'36^{11} East, a distance of 255.75 feet to a point on a 1373.91 foot radius non- tangent curve, whose center bears South 15°00^{1}05^{11} East, said point also being a point on the Centerline of said Broadway Road;

Thence East, along said curve and said Centerline, through a central angle of 15°52^{1}47^{11} , a distance of 380.79 feet;

Thence South 00°15^{1}21^{11} West, departing said Centerline, a distance of 448.48 feet; Thence South 89°55^{1}51^{11} East, a distance of 804.65 feet to the Point of Beginning.

Containing 784841 Square Feet or 18.017 Acres, more or less.

Section comers described in this legal description are depicted on the Final Plat of River Bend 1, Unit A, as recorded in Book 675 of Maps, Page 11, Records of Maricopa County, Arizona. No field work was performed on this project by Coe & Van Loo Consultants as a basis for the preparation of this legal description.

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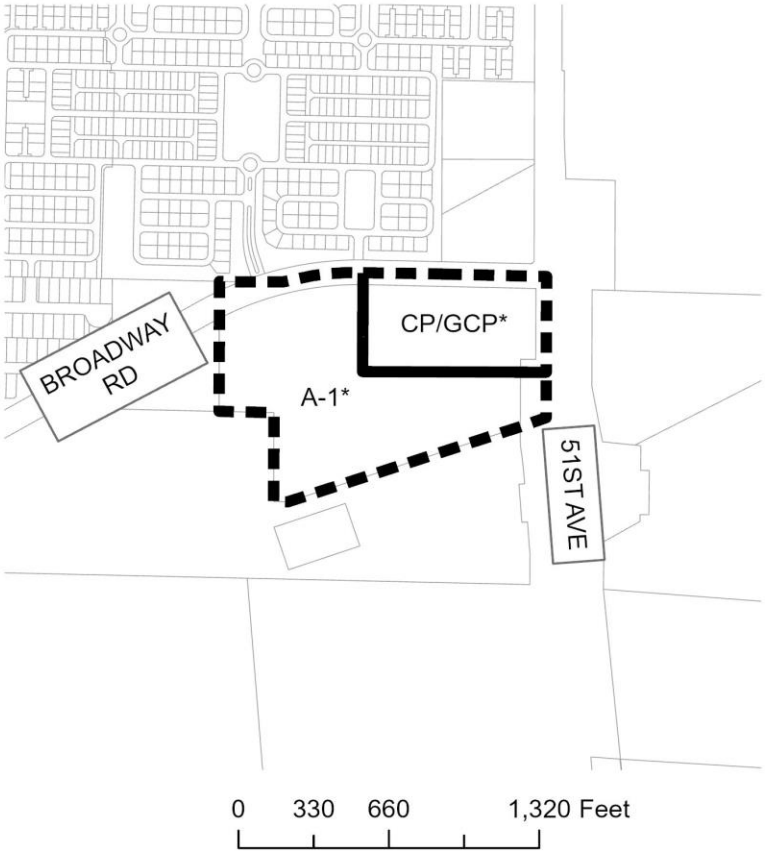
ORDINANCE LOCATION MAP

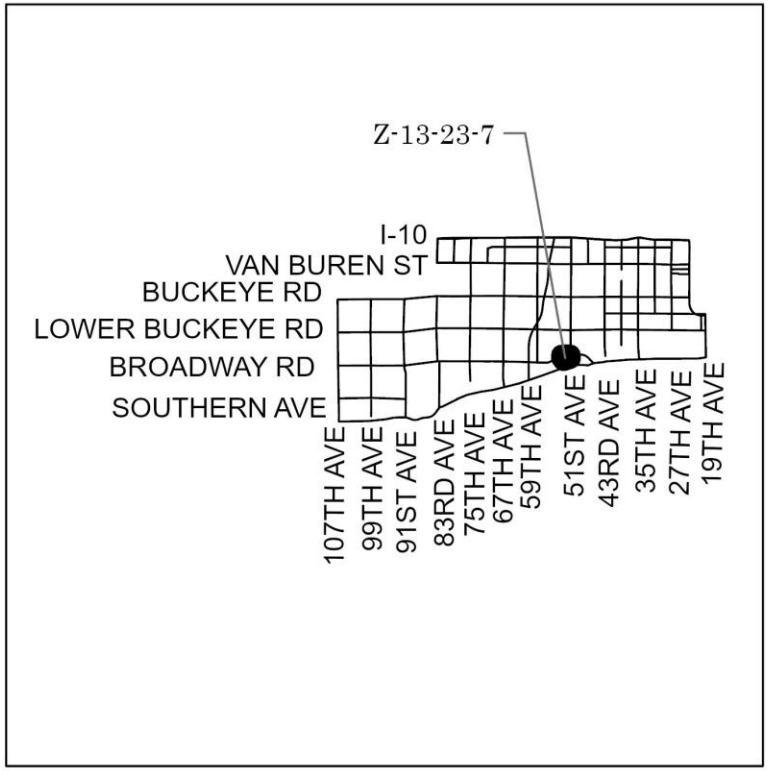
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA:

Zoning Case Number: Z-13-23-7
Zoning Overlay: N/A
Planning Village: Estrella





NOT TO SCALE

N

Drawn Date: 6/5/2023

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ATTACHMENT B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-13-23-7
May 15, 2023

Estrella Village Planning Committee Meeting Date:	May 16, 2023
Planning Commission Hearing Date:	June 1, 2023
Request From:	S-1 (Ranch or Farm Residence) (25.97 acres) and R-2 (Multifamily Residence District) (0.11 acres)
Request To:	CP/GCP (Commerce Park District, General Commerce Park Option) (8.03 acres) and A-1 (Light Industrial District) (18.05 acres)
Proposal:	Office, fabrication, and vehicle maintenance
Location:	Southwest corner of 51st Avenue and Broadway Road
Owner:	FPE51, LLC
Applicant:	Fisher Sand and Gravel
Representative:	Adam Baugh, Withey Morris Baugh, PLC
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Current: Residential 10 to 15 dwelling units per acre Proposed: Mixed Use (Industrial / Commerce/Business Park)	
Street Map Classification	51st Avenue	Major Arterial	33-foot west half street
	Broadway Road	Arterial	55-foot south half street

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The proposal will allow for office, fabrication, and other employment-generating land uses in a location that is appropriate due to its proximity to two arterial streets, and its proximity to the Loop 202 Freeway.

Connect people and places core value; complete streets; design principle: In order to balance a more sustainable transportation system, development should be designed to include increased amenities for transit, pedestrian and bicyclists such as shade, water, seating, bus shelters, wider sidewalks, bike racks, pedestrian scale lighting and way-finding.

Located at the junction of two arterial streets, the proposal, as stipulated, will provide elements for transit, pedestrians, and bicyclists in order to promote walking and alternative transportation. These elements include shaded detached sidewalks along public streets and bicycle parking located on site.

BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal, as stipulated, will be required to provide shade along the adjacent public sidewalks and amenity areas. This will help to encourage walking and to mitigate the urban heat island effect by covering hard surfaces, thus cooling the micro-climate around the project vicinity.

Applicable Plans, Overlays, and Initiatives

Estrella Village Plan: Background Item No. 5.

Estrella Village Arterial Street Landscaping Program: Background Item No. 6.

Complete Streets Guiding Principles: Background Item No. 7.

Comprehensive Bicycle Master Pan: Background Item No. 8.

Transportation Electrification Action Plan: Background Item No. 9.

Phoenix Climate Action Plan: Background Item No. 10.

Tree and Shade Master Plan: Background Item No. 11.

Monarch Butterfly: Background Item No. 12. **Zero Wase PHX:** Background Item No. 13.

Surrounding Land Uses/Zoning		
	Land Use	**Zoning**
On Site	Vacant land	S-1 and R-2
North (across Broadway Road)	Vacant land, single-family residential	C-2 and R-2
East (across 51st Avenue)	Vacant land, mining	A-1 and A-1 SP
South	Mining	Maricopa County RU-43
West	Vacant land	Maricopa County RU-43

Commerce Park / General Commerce Park Option		
Standards	**Requirements**	**Provisions on the Proposed Site Plan**
Minimum Building Setbacks		
Perimeter Street (51st Avenue) (East)	30 feet	197 feet 2.5 inches (Met)
Perimeter Street (Broadway Road) (North)	30 feet	110 feet 6 inches (Met)
Perimeter not on a street (West)	20 feet	295 feet 7 inches (Met)
Perimeter not on a street (South)	20 feet	146 feet 1.25 inches (Met)
Minimum Landscaped Setbacks		
Perimeter Street (51st Avenue) (East)	30 feet	30 feet (Met)
Perimeter Street (Broadway Road) (North)	30 feet	30 feet (Met)
Perimeter not on a street (West)	5 feet	5 feet (Met)
Perimeter not on a street (South)	5 feet	5 feet (Met)
Maximum Lot Coverage	50%	Not specified

Commerce Park / General Commerce Park Option (Continued)		
Standards	**Requirements**	**Provisions on the Proposed Site Plan**
Maximum Building Height	18-foot maximum height is permitted within 30 feet of the perimeter lot line, then one-foot of additional height is allowed for every 3 feet of additional setback, maximum 56 feet to 80 feet with a use permit and site plan.	30 feet (Met)
Minimum Parking Requirements	Office building(s) with less than 50,000 square feet of gross building area, 1 space per 300 square foot floor area 133 required spaces	Not Specified

*Variance or site plan modification required

A-1 (Light Industrial District)		
Standards	**Requirements**	**Provisions on the Proposed Site Plan**
Minimum Building Setbacks		
Street (51st Avenue) (East)	25 feet	274 feet 8 inches (Met)
Street (Broadway Road) (North)	25 feet	Not specified
Rear (South property line)	30 feet; closed building 150 feet; open building/use	52 feet; closed building (Met) 30 feet; open building (Not met)
Side (West property line)	30 feet; closed building 150 feet; open building/use	300; closed building (Met) 30 feet; open building/use (Not specified)
Outdoor Storage		
Street (51st Avenue) (East)	75 feet	Not specified
Street (Broadway Road)	75 feet	Not specified

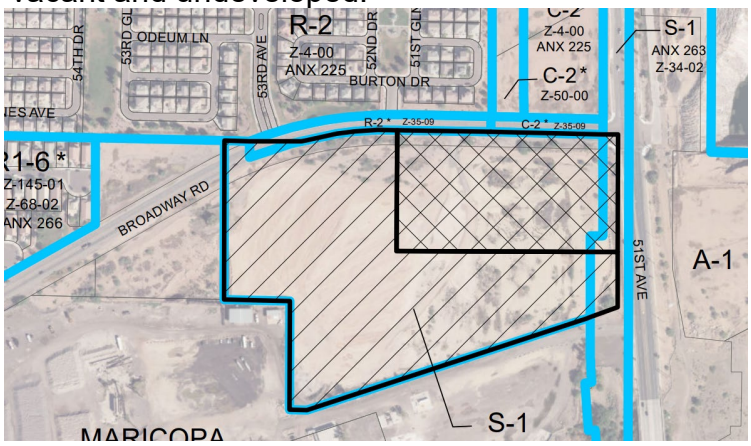
Minimum Landscaped Setbacks		
Street (51st Avenue) (East)	8 times the lot frontage, measured in square feet (Minimum 5 feet)	30 feet (Met)
Street (Broadway Road) (North)	8 times the lot frontage, measured in square feet (Minimum 5 feet)	30 feet (Met)
Rear (South property line)	Not required	0 feet (Met)
Side (West property line)	Not required	0 feet (Met)
Maximum Lot Coverage	No maximum	Not specified
Maximum Building Height	56 feet, up to 80 feet with use permit	56 feet (Met)
Minimum Parking	1 space per 300 square feet of office and 1 parking space per 1.5 warehouse or production workers.	No specified

*Variance or site plan modification required

Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 26.08 acres located at the southwest corner of the 51st Avenue and Broadway Road from 25.97 acres of S-1 (Ranch or Farm Residence) and 0.11 acres of R-2 (Multifamily Residence District) to 8.03 acres of CP/GCP (Commerce Park, General Commerce Park Option) and 18.05 acres of A-1 (Light Industrial District) to allow office, fabrication, and vehicle maintenance. The subject site is currently vacant and undeveloped.



Existing Aerial Map
Source: City of Phoenix Planning and Development Department

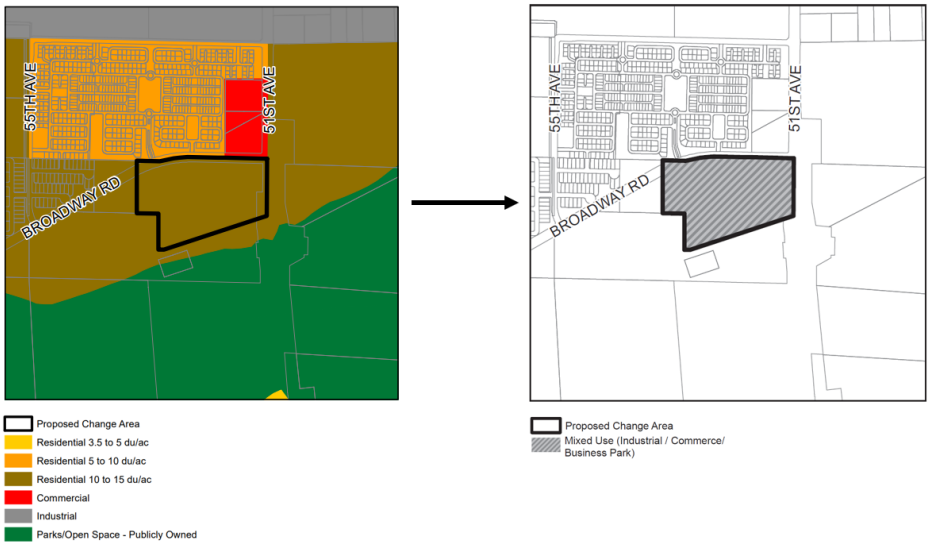
SURROUNDING LAND USES AND ZONING

2. The properties to the north, across Broadway Road, are zoned R-2 (Multifamily Residence District) and C-2 (Intermediate Commercial) and consits of single-family residential development and vacant land. To the east, across 51st Avenue, is vacant land zoned A-1 (Light Industrial District) and A-1 SP (Light Industrial District, Special Permit). The mining property to the west and south of the subject site is within the Maricopa County jurisdiction and is zoned RU-43 (One-Family Residence).

GENERAL PLAN LAND USE MAP DESIGNATION

3. The General Plan Land Use Map designation for the subject site is Residential 10 to 15 dwelling units per acre. North of the subject site, across Broadway Road, is designated Commercial and Residential 5 to 10 dwelling units per acre. West, south, and east of the subject site is designated Residential 10 to 15 dwelling units per acre. Further south of the site is designated Parks/Open Space – Publicly Owned.

   A concurrent minor General Plan Land Use Map amendment case, GPA-EST-1-23-7, proposes to change the land use map designation to Mixed Use (Industrial / Commerce/Business Park). The requested CP/GCP and A-1 zoning is consistent with the proposed General Plan Land Use Map designation.



General Plan Land Use Map
Source: City of Phoenix Planning and Development Department

PROPOSAL

4. **Site Plan**

   The conceptual site plan, attached as an exhibit, proposes an approximate 57,000-square foot, two-story office building on the northeast portion of the subject site.

The south portion of the subject site will have an approximate 76,800-square foot shop building where fabrication and vehicle maintenance is proposed. Furthermore, the northwest portion of the site will be utilized for truck parking.

In order for the proposed development to remain compatible with the surrounding zoning to the north and south, staff is recommending Stipulation No. 2 which would require conformance to the proposed building locations and sizes as shown on the site plan. If any changes are proposed, any new addition would be required to go through the PHO process. This would allow staff to ensure that additions or modifications are compatible with the surrounding land uses and zoning.

Two access points are located along both 51st Avenue and Broadway Road. Employee and customer parking on the site is located on the northeast portion of the site along the street frontages. Staff is not recommending a stipulation requiring general conformance to the conceptual site plan as the site may not meet open storage setback standards.

The conceptual site plan shows several landscaped portions on the site. Staff recommends Stipulation No. 5 to ensure a 30-foot landscape setback along the north and east perimeters of the site. Stipulation No. 6 incorporates enhanced landscaping along Broadway Road and 51st Avenue. The proposed stipulations will ensure shading and enhance the street frontages.

Staff also recommends an employee resting or recreation area with pedestrian seating benches and shade. The recommended employee resting area would provide employees with a place outdoors during their workday. This is addressed in Stipulation No. 10.

Elevations
The conceptual office building elevations depict architectural features that include variation in colors, building articulation, and emphasizes on the building facades. The proposal elevations also include four-sided architecture and durable materials. Staff is recommending general conformance to the office building elevations per Stipulation No. 1.





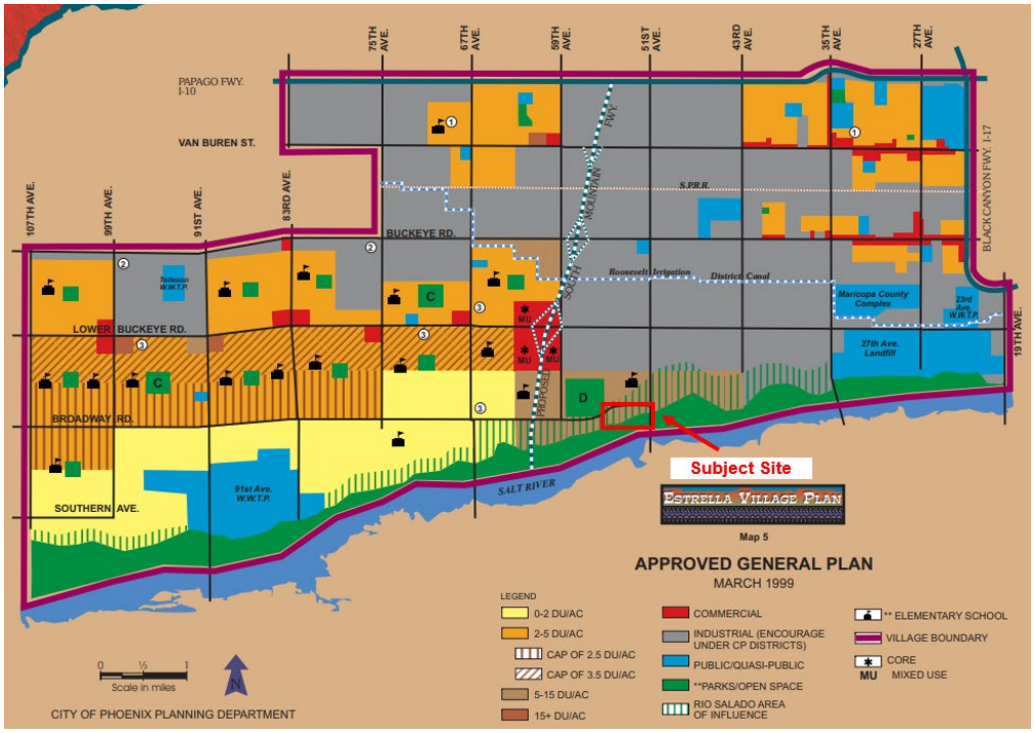
Conceptual Building Renderings
Source: LGE Design Group

AREA PLANS, OVERLAY DISTRICTS, AND INITIATIVES

5. **Estrella Village Plan**

The Estrella Village Plan adopted in 1999, outlines a vision for developing the Estrella Village through five main goals that include:

1. Orderly growth;
2. Identifiable village core;
3. Strong residential neighborhoods;
4. Variety of homes and jobs; and
5. Consistent streetscapes and trail linkages.



Estrella Land Use Map
Source: Planning and Development Department

Goal 1, “Growth”, recommends industrial development to utilize commerce park development standards. The proposal consists of CP/GPC zoning to the north and A-1 to the south. The proposed CP/GCP zoning will act as a buffer between the residential uses to the north and the industrial uses on the south portion of the site and in the County to the south. The proposal will also include enhanced street frontages and enhanced building elevations facing the public street. This is addressed in Stipulation No. 1, 3, 5 and 6. Lastly, Stipulation Nos. 12 and 17 includes provisions for a detached sidewalk along 51st Avenue and Broadway Road with enhanced landscaping between the back of the curb and sidewalk.

Goal 5, “Urban Design”, Objective D, “Street Appearance” recommends industrial properties along major streets and adjoining residential neighborhoods to be well landscaped and open storage and activity screened from view. Several stipulations as recommended by staff and would promote enhanced urban design along the streetscapes. Lastly, Stipulation Nos. 5 and 6 recommend enhanced landscaping along 51st Avenue and Broadway Road to promote a positive character of the village.

6. **Estrella Village Arterial Street Landscaping Program**
The Estrella Village Arterial Street Landscaping Program adopted in 1999, provides a landscape palette for arterial streets within the Estrella Village to help establish the community’s character. In addition to providing planning guidelines,

the plan also indicates the locations to establish entry gateways that welcome individuals entering the village with an entry sign and an enhanced landscape area of 75 feet by 75 feet in size.

The subject site is adjacent to Broadway Road, an arterial street, and 51st Avenue, a major arterial. Thus, staff recommends Stipulation No. 3 to require adherence with the Estrella Village Arterial Street Landscaping Program requirements along the street frontage to promote the community's character.

7. **Complete Streets Guidelines**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. To provide a safe pedestrian environment staff is recommending enhanced pavement treatment for the on-site pedestrian walkways that cross vehicular drive aisles. This is addressed in Stipulation No. 9. This development will help pedestrianize the immediate street frontage by providing a detached sidewalk along 51st Avenue, Broadway Road and a shared use path along the small portion of the subject site along the north side of Broadway Road. In addition, a multi-use trail is required along 51st Avenue to further pedestrianize the street. This is addressed in Stipulation No. 4, 12, 17 and 18. Furthermore, bicycle parking will be required on the site encourage alternative transportation. This is addressed in Stipulation No. 11. In addition, any street improvements must be completed to City of Phoenix and ADA standards. These are addressed in Stipulations No. 20.

8. **Comprehensive Bicycle Master Pan**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. As stipulated, the project will provide bicycle parking spaces, installed per the requirements in the city's Walkable Urban (WU) Code. This is addressed in Stipulation No. 11.

9. **Transportation Electrification Action Plan**

In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled

with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. This is addressed in Stipulation No. 14.

10. **Phoenix Climate Action Plan**
In October 2021, the Phoenix City Council approved the Climate Action Plan. The Climate Action Plan will serve as a long-term plan to achieve greenhouse gas emissions reductions and resiliency goals from local operations and community activities as well as prepare for the impacts of climate change. This plan contains policy and initiatives regarding stationary energy, transportation, waste management, air quality, local food systems, heat, and water. Goal W2 (Water), Action W2.4, pertains to the implementation of the Greater Phoenix Green Infrastructure (GI) and Low Impact Development Details for Alternative Stormwater Management to benefit the environment, promote water conservation, reduce urban heat, improve the public health, and create additional green spaces. This goal is addressed in Stipulation No. 15, which requires a minimum of two GI techniques for stormwater management to be implemented in this development.

11. **Tree and Shade Master Plan**
The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Staff is recommending stipulations designed to provide trees and enhance shade within the development.

Staff is recommending the following stipulations for parking lot and sidewalk shading:

- The landscape setback along 51st Avenue and Broadway Road shall contain 50 percent two-inch caliper trees and 50 percent three-inch caliper trees (Stipulation No. 6).
- Uncovered surface parking lot areas shall be landscaped with minimum two-inch caliper drought-tolerant shade trees to achieve a minimum of 25 percent shade (Stipulation No. 8).

12. **Monarch Butterfly**
In April 2021, Mayor Kate Gallego signed the National Wildlife Federation's Mayor's Monarch Pledge. This pledge commits the city to take action to support the monarch butterfly population. In the United States, loss of milkweed habitat is a

major factor in the decline of the monarchs. Arizona has at least 29 species of milkweed native to the state. Adult monarchs feed on the nectar of many flowers, but they breed only where milkweeds are found. To support the monarch butterfly population, Stipulation No. 7 will require the planting of milkweed shrubs, or other native nectar plant species on the subject site.

13. **Zero Waste PHX**
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the City's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed-use developments meeting certain criteria. The provision of recycling containers was not addressed in the applicant's submittals.

COMMUNITY CORRESPONDENCE

14. At the time this staff report was written, no correspondence from the public had been received.

INTERDEPARTMENTAL COMMENTS

15. **Fire Department**
The Fire Department indicated there are no problems anticipated with the case and that the site and/or buildings shall comply with the International Fire Code with Phoenix Amendments. Further, the Department commented that they do not know the water supply at this site and noted that fire flow requirements may present a challenge for this site.

16. **Street Transportation Department**
The Street Transportation Department has indicated that the developer will be required to re-dedicate the existing right-of-way along Broadway Road and construct and landscape a 14-foot-wide median island on Broadway Road from 51st Avenue to 53rd Avenue. A detached sidewalk shall be constructed along Broadway Road and the developer shall maintain the existing detached sidewalk along 51st Avenue. Furthermore, a shared use path will be constructed along a small segment on the north side of Broadway Road, the streetscape along 51st Avenue is to be replenished with a water drip system, and all street improvements shall be constructed with all required elements and meet ADA standards. These are addressed in Stipulation No. 12, 13, 16 through 20.

17. **Flood Management**
The Floodplain Management Division of the Public Works Department commented that this project is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 2705M of the Flood Insurance Rate Maps (FIRM) revised June 26, 2020. The applicant is required to submit a Grading and Drainage Plan to the Floodplain

Management section of Public Works Department. An Elevation Certificate (FEMA Form 086-0-33) and a FEMA approved CLOMR-F or CLOMR must be received and approved by Floodplain Management prior to issuance of a Grading & Drainage permit. This is addressed in Stipulation No. 21.

OTHER

18. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulations No. 22 through 24.

19. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 25.

20. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposal will develop a vacant property and as stipulated, will be compatible with the surrounding land uses.

2. The stipulated landscape and building elevation standards are above the required minimum Zoning Ordinance standards and will make the proposal a compatible addition to the neighboring area.

3. As stipulated, the proposed development will promote the vision of various policy plans including the Tree and Shade Master Plan, Estrella Village Area Plan and Estrella Village Arterial Street Landscaping Program.

Stipulations

1. The office building as depicted on the site plan date stamped April 25, 2023, shall be in general conformance with the office building elevations date stamped April 3, 2023, with specific regard to the architectural feature on the north and south façade, glass and color pallet as modified by the following stipulations and approved by the Planning and Development Department.

2. The proposed building sizes and locations shall generally conform to the site plan date stamped April 25, 2023, as approved by the Planning and Development Department.

3. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape pallet and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.

4. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the west side of 51st Avenue and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement in accordance with the MAG supplement detail and as approved by the Planning and Development Department.

5. A minimum 30-foot-wide landscape setback shall be provided along the north and east perimeter of the site.

6. The required landscape setbacks along 51st Avenue and Broadway Road shall be planted with minimum 50% 2-inch caliper and 50% 3-inch caliper size trees, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflict exists, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

7. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.

8. All uncovered employee and customer surface parking lot areas shall be landscaped with minimum 2-inch caliper large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the employee and customer parking area and achieve a minimum 25% shade at maturity, as approved by Planning and Development Department.

9. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.

10. One outdoor employee resting or recreation area of no less than 400-square feet or two 200-square foot areas shall be provided on site. Each required pedestrian area shall include a minimum of two pedestrian seating benches, a table, and constructed of quality and durable materials, and shaded to a minimum of 50 percent using minimum 2-inch caliper large canopy drought-tolerant shade trees and/or architectural shade, as approved by the Planning and Development Department.

11. A minimum of 12 bicycle parking spaces shall be provided through Inverted U and/or artistic racks installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance and or within a secure bicycle storage room, as approved by the Planning and Development Department.

12. The existing detached sidewalk landscape area located between the back of curb and sidewalk shall be maintained along 51st Avenue and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75% shade.

    b. Drought tolerant vegetation maintained no higher than 24 inches to provide a minimum of 75% live coverage at maturity.

    Where utilities conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

13. The existing streetscape along 51st Avenue shall be replenished with appropriate water drip system, as approved by Planning and Development.

14. A minimum of 10% of the required employee and customer parking shall include EV capable infrastructure.

15. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.

16. The developer shall re-dedicate existing right-of-way easement, dedicated by MCR 87-372362, along Broadway Road as fee title to the City of Phoenix.

17. A minimum 6-foot-wide detached sidewalk and a minimum 10-foot-wide landscape strip between the back of curb and sidewalk shall be provided along the south side of Broadway Road, planted to the following standards as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75% shade.

    b. Drought tolerant vegetation maintained no higher than 24 inches to provide a minimum of 75% live coverage at maturity.

    Where utilities conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

18. A minimum 8-foot-wide detached shared use path (sidewalk) separated by a minimum 8-foot-wide landscape strip between the back of curb and sidewalk shall be provided along the north side of Broadway Road, connecting the existing shared use path (sidewalk) to the subject site's western property line for the small portion of the subject site along the north side of Broadway Road, as approved by the Planning and Development Department.

19. A 14-foot-wide median island shall be constructed and landscaped in Broadway Road from 51st Avenue to the 53rd Avenue. A full access median opening shall be provided at 52nd Avenue. All other access points to be median restricted or as approved by the Street Transportation Department. Coordinate median island and openings design with the Street Transportation Department.

20. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

21. This parcel is in a Special Flood Hazard Area (SFHA) called Zone AE, on panel 2705L of the Flood Insurance Rate Maps (FIRM) dated June 26, 2020. The following requirements shall apply, as approved by the Planning and Development Department:

a. The Architect/Engineer is required to show the floodplain boundary limits
on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Street Transportation Department for review and approval of Floodplain requirements.

c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

22. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

23. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

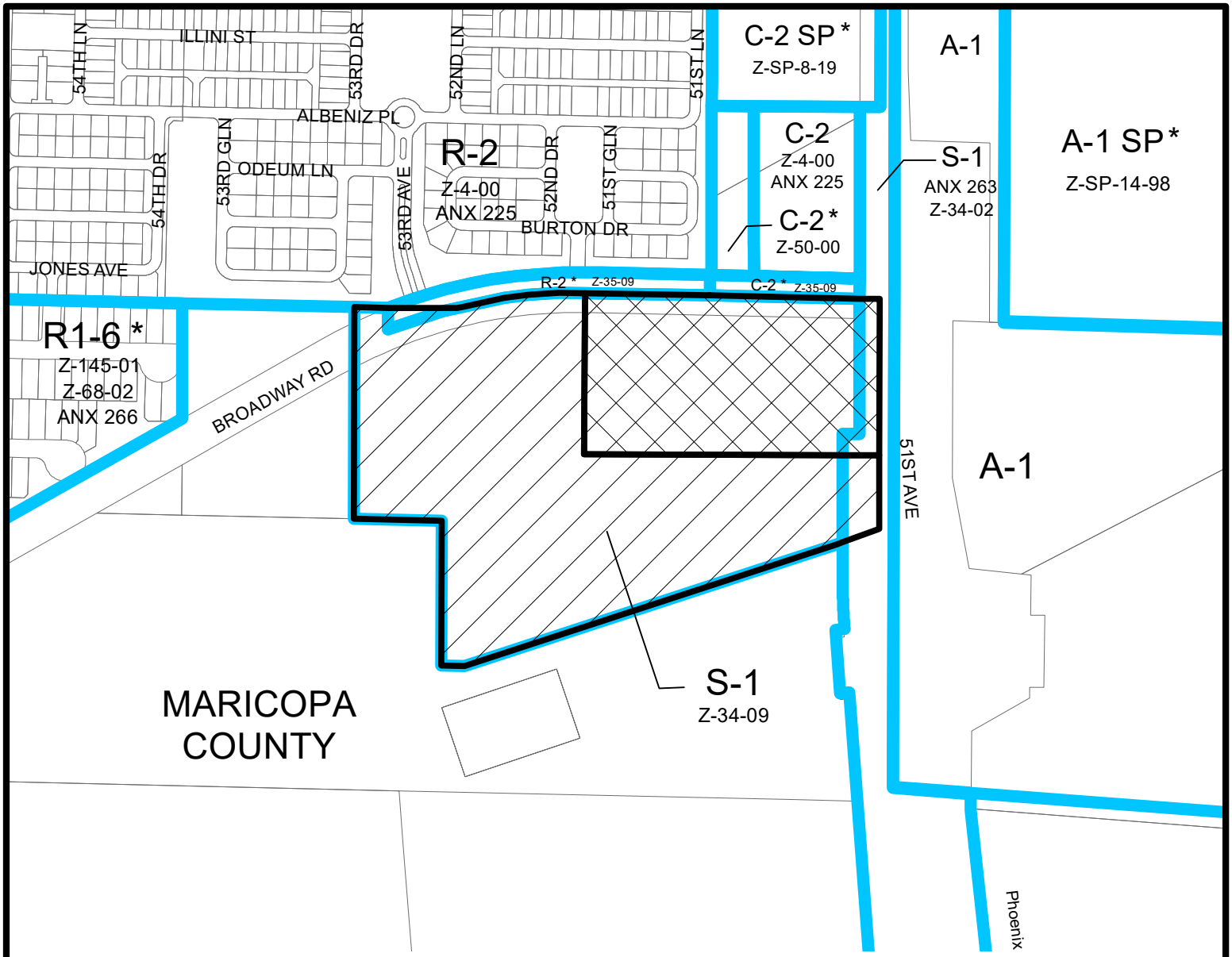
24. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

25. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Writer
Nayeli Sanchez Luna
May 15, 2023

Team Leader
Racelle Escolar

Exhibits
Sketch map
Aerial map
Conceptual Site Plan date stamped April 25, 2023
Elevations date stamped April 3, 2023
Renderings date stamped April 3, 2023 (2 Pages)

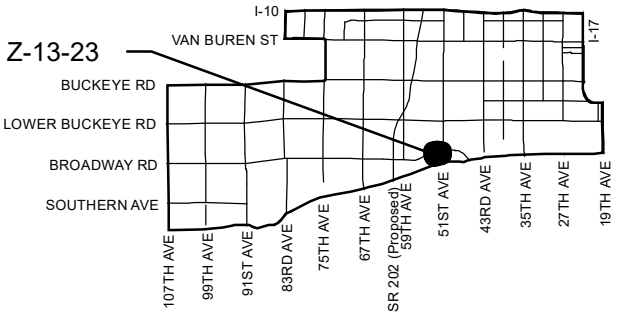


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ESTRELLA VILLAGE

CITY COUNCIL DISTRICT: 7



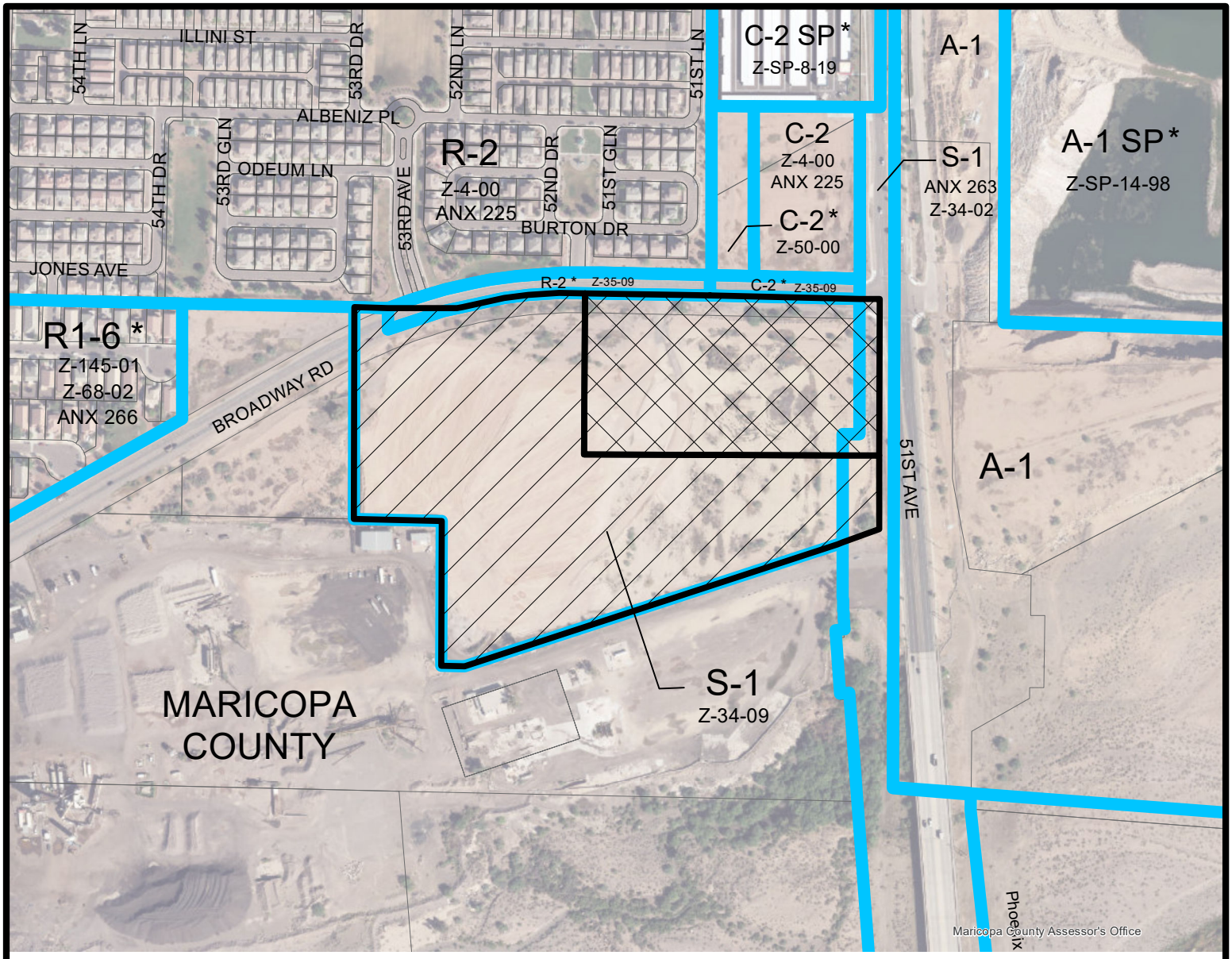
City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Fisher Sand and Gravel	**REQUESTED CHANGE:**
APPLICATION NO. Z-13-23	DATE: 3/29/2023
	REVISION DATES: 4/21/2023
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 26.08 Acres	AERIAL PHOTO & QUARTER SEC. NO. QS 5-16
	ZONING MAP E5
	FROM: R-2 (0.11 a.c.) S-1 (25.97 a.c.)
	TO: A-1 (18.05 a.c.) CP/GCP (8.03 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R-2, S-1	1, 25	1, N/A
A-1, CP/GCP	N/A, N/A	N/A, N/A

* **Maximum Units Allowed with P.R.D. Bonus**

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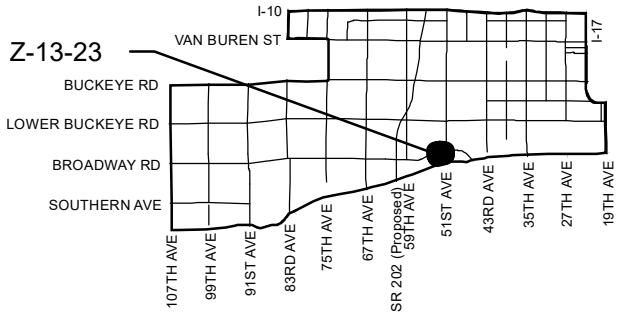


Miles

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ESTRELLA VILLAGE

CITY COUNCIL DISTRICT: 7



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	Fisher Sand and Gravel
APPLICATION NO.	Z-13-23
DATE:	3/29/2023
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GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	26.08 Acres
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ZONING MAP	E5

REQUESTED CHANGE:

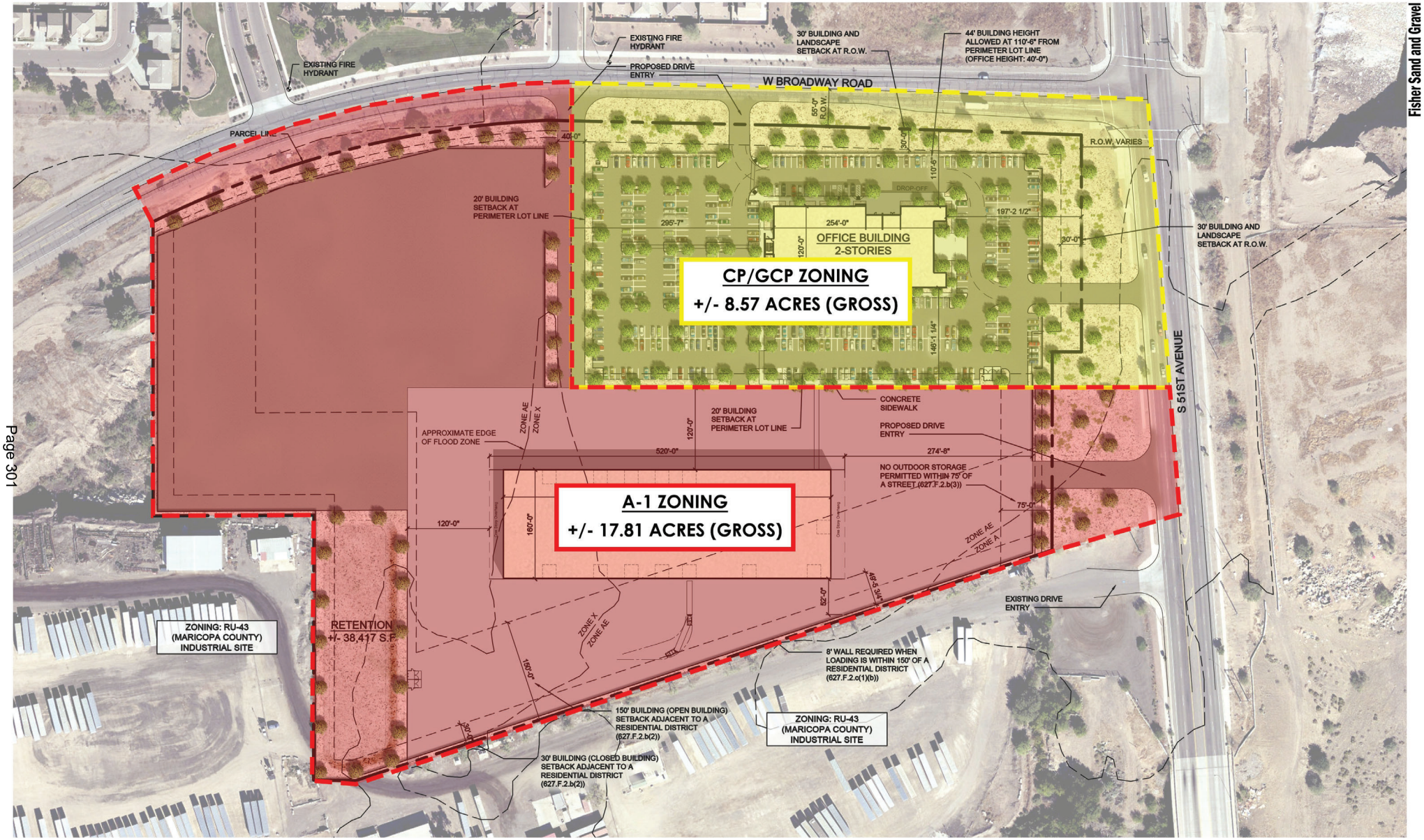
FROM: R-2 (0.11 a.c.)
S-1 (25.97 a.c.)

TO: A-1 (18.05 a.c.)
CP/GCP (8.03 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
R-2, S-1	1, 25	1, N/A
A-1, CP/GCP	N/A, N/A	N/A, N/A

* **Maximum Units Allowed with P.R.D. Bonus**

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Fisher Sand and Gravel Phoenix, Arizona
2023 . 04 . 17

LGE | DESIGNGROUP

CITY OF PHOENIX
APR 25 2023
Planning & Development Department

PRELIMINARY SITE PLAN

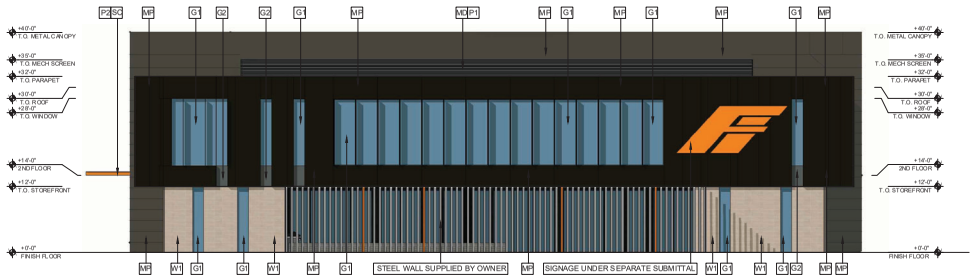
1"=60'-0"
0 30 60 120
NORTH

LGE | DESIGNBUILD

This artist rendering is for conceptual design only, was done without benefit of a survey and should not be referred to as a construction document.

THESE DRAWINGS ARE AN INSTRUMENT OF SERVICE AND THE PROPERTY OF LGE DESIGN GROUP AND LGE DESIGN BUILD AND SHALL REMAIN THEIR PROPERTY. THE USE OF THIS DRAWING SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH IT WAS PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH.

CITY OF PHOENIX
APR 03 2023
Planning & Development Department



EAST ELEVATION

SCALE: 3/32" = 1'-0"



WEST ELEVATION

SCALE: 3/32" = 1'-0"



NORTH ELEVATION

SCALE: 3/32" = 1'-0"



SOUTH ELEVATION

SCALE: 3/32" = 1'-0"

MATERIAL/FINISH SCHEDULE:

KEY:	DESCRIPTION:
EXTERIOR WALLS:	
BF	BOARD FORMED CONCRETE WALL
W1	MASONRY - 4" x 8" x 16", SMOOTH FACE, STACK BOND PATTERN, INTEGRAL COLOR - TRENWYTH TRENDSTONE GROUND FACE MASONRY UNIT - 'SOUTHWEST GOLD'
W2	MASONRY - 4" x 8" x 16", SMOOTH FACE, STACK BOND PATTERN, INTEGRAL COLOR - TRENWYTH TRENDSTONE GROUND FACE MASONRY UNIT -'HOPI SANDSTONE'
MP	ALUMINIUM COMPOSITE METAL, (ACM) SMOOTH FINISH WITH CONCEALED FASTENERS
MF	EXTRUDED ALUM. ANGLE, EXTEND 6" FROM BUILDING
MD	MECHANICAL SCREEN WALL, METAL DECK

CANOPY KEY:

MATERIAL:	DESCRIPTION:
SC	METAL CANOPY - OPEN TRELLIS STEEL CANOPY WITH STEEL ANGLES
SB	STEEL BALCONY - STEEL CHANNELS WITH STEEL FRAMED INFILL OVER PLYWOOD DECKING WITH EIFS SOFFIT AND SMOOTH FINISHED FLOOR

GLAZING KEY:

MATERIAL:	DESCRIPTION:
FRAMES	ALUMINUM STOREFRONT - 4 1/2" (SEALANT JOINT VERTS) BLACK ANODIZED (AB-8)
EXTERIOR GLAZING G1	SOLARBAN 60 1" INSULATED GLAZING LOW-E SOLARCOOL SOLARBLUE
G2	SPANDREL GLASS

PAINT KEY:

KEY:	DESCRIPTION:
P1	DUNN EDWARDS (DARK GREY) "DARK ENGINE" DE6350 (LRV 5)
P2	DUNN EDWARDS (FISHER ORANGE) "TANGERINE TANGO" DE5194 (LRV 46)

LGE DESIGNGROUP
1200 N. 52nd Street ■ Phoenix, AZ ■ 85008
P: 480.966.4001

FISHER SAND & GRAVEL

S.W.C 51ST AVE. AND BROADWAY ROAD
PHOENIX, AZ

LGE DESIGN BUILD

NUMBER	REVISION	DATE

SHEET TITLE: EXTERIOR ELEVATIONS
ISSUE DATE: 08/04/2021
DRAWN BY: MJR, SJ
CHECKED BY: BJM
PROJECT No:

SHEET: A4.1.1



1.1 NORTH EAST CORNER



1.3 NE CORNER ENTRY



1.2 NORTH ENTRY PERSPECTIVE



1.4 EAST ELEVATION PERSPECTIVE

CITY OF PHOENIX
APR 03 2023
Planning & Development Department

CONCEPTUAL RENDERING VIEWS

NOT TO SCALE

LGE DESIGNGROUP
1200 N. 52nd Street ■ Phoenix, AZ ■ 85008
P. 480.966.4001

FISHER SAND & GRAVEL

S.W.C 51ST AVE. AND BROADWAY ROAD
PHOENIX, AZ

LGE DESIGNBUILD

NUMBER	REVISION	DATE

SHEET TITLE: CONCEPTUAL RENDERING VIEWS
ISSUE DATE: 08/04/2021
DRAWN BY: MJR, SJ
CHECKED BY: BJM
PROJECT No.:
SHEET: G1



1.1 EAST ELEVATION PERSPECTIVE



1.3 EAST EXTERIOR PATIO VIEW



1.2 SE CORNER PERSPECTIVE



1.4 SOUTH ENTRY PERSPECTIVE

CONCEPTUAL RENDERING VIEWS

NOT TO SCALE

CITY OF PHOENIX
APR 03 2023
Planning & Development Department

LGE DESIGNGROUP
1200 N. 52nd Street ■ Phoenix, AZ ■ 85008
P: 480.966.4001

FISHER SAND & GRAVEL

S.W.C 51ST AVE. AND BROADWAY ROAD
PHOENIX, AZ

LGE DESIGNBUILD

NUMBER	REVISION	DATE

SHEET TITLE: CONCEPTUAL RENDERING VIEWS
ISSUE DATE: 08/04/2021
DRAWN BY: MJR, SJ
CHECKED BY: BJM
PROJECT No.:
SHEET: G2

ATTACHMENT C

Estrella
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-13-23-7

Date of VPC Meeting	May 16, 2023
Request From:	S-1 and R-2
Request To:	CP/GCP and A-1
Proposed Use:	Office, fabrication, and vehicle maintenance
Location	Southwest corner of 51st Avenue and Broadway Road
VPC Recommendation	No quorum
VPC Vote	No quorum

VPC DISCUSSION:
No quorum.

Staff comments regarding VPC Recommendation:

None.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION
June 1, 2023

ITEM NO: 6	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	Z-13-23-7 (Companion Case GPA-EST-1-23-7)
Location:	Southwest corner of 51st Avenue and Broadway Road
From:	S-1 and R-2
To:	CP/GCP and A-1
Acreage:	26.08
Proposal:	Office, fabrication, and vehicle maintenance
Applicant:	Fisher Sand and Gravel
Owner:	FPE51, LLC
Representative:	Adam Baugh, Withey Morris Baugh, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Estrella 5/16/2023 No Quorum.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion: N/A

Motion details: Commissioner Perez made a MOTION to approve Z-13-23-7, per the staff recommendation.

Maker: Perez
Second: Mangum
Vote: 8-0
Absent: Howard
Opposition Present: No

Findings:

1. The proposal will develop a vacant property and as stipulated, will be compatible with the surrounding land uses.

2. The stipulated landscape and building elevation standards are above the required minimum Zoning Ordinance standards and will make the proposal a compatible addition to the neighboring area.

3. As stipulated, the proposed development will promote the vision of various policy plans including the Tree and Shade Master Plan, Estrella Village Area Plan and Estrella Village Arterial Street Landscaping Program.

Stipulations:

1. The office building as depicted on the site plan date stamped April 25, 2023, shall be in general conformance with the office building elevations date stamped April 3, 2023, with specific regard to the architectural feature on the north and south façade, glass and color pallet as modified by the following stipulations and approved by the Planning and Development Department.

2. The proposed building sizes and locations shall generally conform to the site plan date stamped April 25, 2023, as approved by the Planning and Development Department.

3. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape pallet and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.

4. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the west side of 51st Avenue and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement in accordance with the MAG supplement detail and as approved by the Planning and Development Department.

5. A minimum 30-foot-wide landscape setback shall be provided along the north and east perimeter of the site.

6. The required landscape setbacks along 51st Avenue and Broadway Road shall be planted with minimum 50% 2-inch caliper and 50% 3-inch caliper size trees, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflict exists, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

7. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.

8. All uncovered employee and customer surface parking lot areas shall be landscaped with minimum 2-inch caliper large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the employee and customer parking area and achieve a minimum 25% shade at maturity, as approved by Planning and Development Department.

9. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped, or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.

10. One outdoor employee resting or recreation area of no less than 400-square feet or two 200-square foot areas shall be provided on site. Each required pedestrian area shall include a minimum of two pedestrian seating benches, a table, and constructed of quality and durable materials, and shaded to a minimum of 50 percent using minimum 2-inch caliper large canopy drought-tolerant shade trees and/or architectural shade, as approved by the Planning and Development Department.

11. A minimum of 12 bicycle parking spaces shall be provided through Inverted U and/or artistic racks installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance and or within a secure bicycle storage room, as approved by the Planning and Development Department.

12. The existing detached sidewalk landscape area located between the back of curb and sidewalk shall be maintained along 51st Avenue and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75% shade.

    b. Drought tolerant vegetation maintained no higher than 24 inches to provide a minimum of 75% live coverage at maturity.

    Where utilities conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

13. The existing streetscape along 51st Avenue shall be replenished with appropriate water drip system, as approved by Planning and Development.

14. A minimum of 10% of the required employee and customer parking shall include EV capable infrastructure.

15. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved, or modified by the Planning and Development Department.

16. The developer shall re-dedicate existing right-of-way easement, dedicated by MCR 87-372362, along Broadway Road as fee title to the City of Phoenix.

17. A minimum 6-foot-wide detached sidewalk and a minimum 10-foot-wide landscape strip between the back of curb and sidewalk shall be provided along the south side of Broadway Road, planted to the following standards as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75% shade.

    b. Drought tolerant vegetation maintained no higher than 24 inches to provide a minimum of 75% live coverage at maturity.

    Where utilities conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

18. A minimum 8-foot-wide detached shared use path (sidewalk) separated by a minimum 8-foot-wide landscape strip between the back of curb and sidewalk shall be provided along the north side of Broadway Road, connecting the existing shared use path (sidewalk) to the subject site's western property line for the small portion of the subject site along the north side of Broadway Road, as approved by the Planning and Development Department.

19. A 14-foot-wide median island shall be constructed and landscaped in Broadway Road from 51st Avenue to the 53rd Avenue. A full access median opening shall be provided at 52nd Avenue. All other access points to be median restricted or as approved by the Street Transportation Department. Coordinate median island and openings design with the Street Transportation Department.

20. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

21. This parcel is in a Special Flood Hazard Area (SFHA) called Zone AE, on panel 2705L of the Flood Insurance Rate Maps (FIRM) dated June 26, 2020. The following requirements shall apply, as approved by the Planning and Development Department:

    a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.

    b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Street Transportation Department for review and approval of Floodplain requirements.

    c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

22. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

23. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.

24. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

25. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.

RIVERBEND
HOMEOWNERS ASSOCIATION

The Riverbend Homeowners Association and its residents are looking forward to having the Fisher Industries and Vai Resorts Corporate Headquarters located across the street from us. The residents have had a chance to review the plans for the development and we are very pleased with how the landscaping and the development of the building will look.

For many years this property has been plagued with illegal dumping from household garbage, furniture, automotive tires, household appliances and many other items. With the development of the Fisher/Vai Headquarters this will put an end to the illegal dumping across the street from our community.

The design of the building is of an elegant stylish design which will enhance our community along with increasing the home values within the Riverbend community as well as our neighboring communities.

Fisher Industries has agreed to install a sidewalk within their landscaping from 51st Avenue going west to the end of their property line. The small portion of property that connects to the Riverbend property that is located on the northside of Broadway, Fisher Industries has agreed to install a sidewalk and landscaping.

The Riverbend Homeowners Association and Fisher Industries have been working together from the beginning of this project. We are looking forward to being great neighbors with one another. The Riverbend HOA approves the changes of the permits and the plans to allow for the Fisher/Vai Headquarters development to take place.

Thank you,
Riverbend Board of Directors

Riverbend
c/o Vision Community Management
16625 S. Desert Foothills Pkwy.
Phoenix, AZ 85048
riverbend@wearevision.com

CITY OF PHOENIX
MAY 16 2023
Planning & Development Department

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 95

Public Hearing and Ordinance Adoption - Rezoning Application Z-15-23-3 - Approximately 400 Feet North of the Northeast Corner of 12th Street and Roberts Road (Ordinance G-7139)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-15-23-3 and rezone the site from S-1 (Ranch or Farm Residence) to R1-8 (Single-Family Residence District) to allow single-family residential.

Summary

Current Zoning: S-1
Proposed Zoning: R1-8
Acreage: 0.47 acres
Proposal: Single-family residential

Owner: 13839 North 12th St, LLC
Applicant: Taylor Fracasse Architecture, Inc.
Representative: Brian Fracasse

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The North Mountain Village Planning Committee heard this case on May 17, 2023, and recommended approval, per the staff recommendation with direction, by a vote of 10-2-1.
PC Action: The Planning Commission heard this case on June 1, 2023, and recommended approval, per the staff recommendation, by a vote of 6-2.
The Planning Commission recommendation was appealed by a community member on June 8, 2023.

Location

Approximately 400 feet north of the northeast corner of 12th Street and Roberts Road
Council District: 3
Parcel Address: 13831, 13837 and 13839 N. 12th St.

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-15-23-3) FROM S-1 (RANCH OR FARM RESIDENCE) TO R1-8 (SINGLE-FAMILY RESIDENCE DISTRICT).

_____

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 0.47-acre property located approximately 400 feet north of the northeast corner of 12th Street and Roberts Road in a portion of Section 9, Township 3 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "S-1" (Ranch or Farm Residence) to "R1-8" (Single-Family Residence District) to allow single-family residential.

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

DRAFT

1. A minimum building setback of 25 feet shall be required along the west property line.

2. A minimum 5 feet of right-of-way shall be dedicated, totaling 30 feet for the east side of 12th Street, adjacent to the development, as approved by the Planning and Development Department.

3. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

4. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

5. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of July, 2023.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

DRAFT

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:
_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-15-23-3

DEED: 2022-0316911, M.C.R.

The North half of the West half of the West half of the Southwest Quarter of the Southwest quarter of the Southeast quarter of

Section 9, Township 3 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the South 70 feet thereof; and

EXCEPT the North 135 feet thereof; and

EXCEPT the West 25 feet thereof.

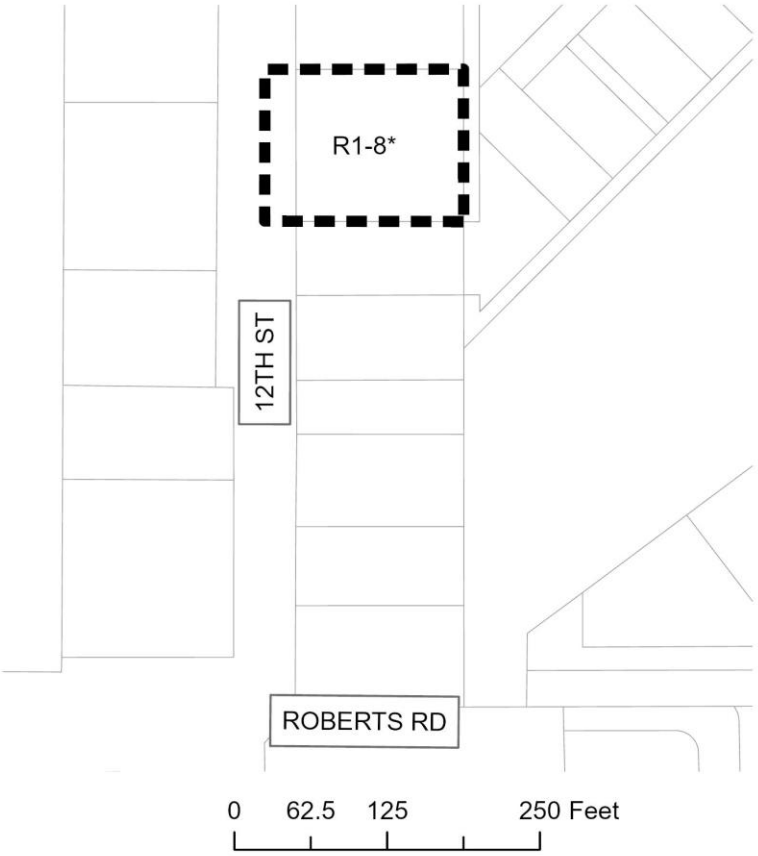
DRAFT

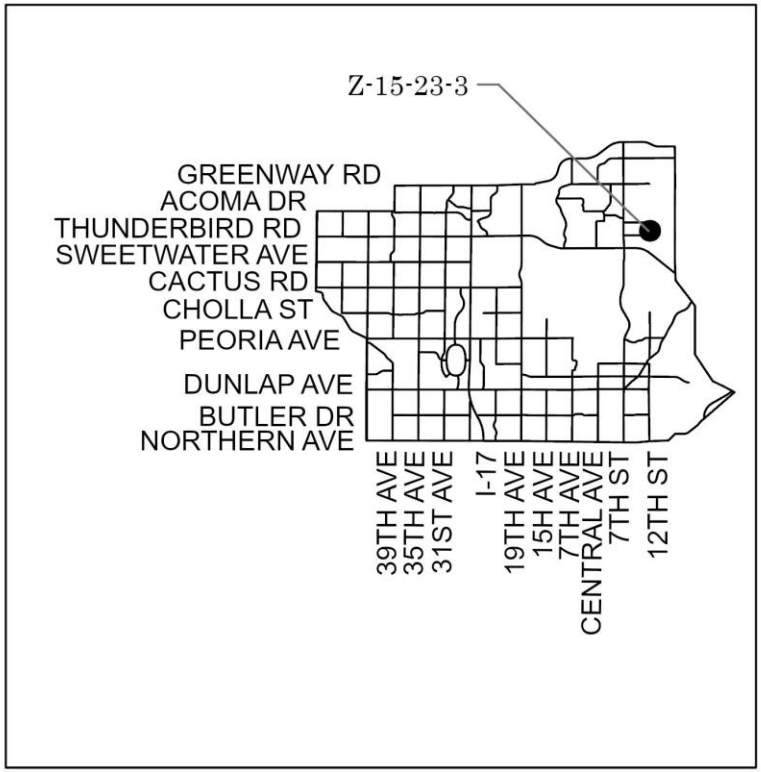
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-15-23-3
Zoning Overlay: N/A
Planning Village: North Mountain





NOT TO SCALE

N

Drawn Date: 6/5/2023

\\one\pdd\Shared\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\Arc_Pro_Ordinance_Template\Ordinance_Template.aprx

ATTACHMENT B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-15-23-3
May 4, 2023

North Mountain Village Planning Committee Meeting Date	May 17, 2023
Planning Commission Hearing Date	June 1, 2023
Request From:	S-1 (0.47 acres)
Request To:	R1-8 (Single-Family Residence District) (0.47 acres)
Proposal:	Single-Family Residential
Location:	Approximately 400 feet north of the northeast corner of 12th Street and Roberts Road
Owner:	13839 N. 12 St, LLC
Applicant:	Taylor Fracasse Architecture, Inc.
Representative:	Brian Fracasse
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Designation		Residential 3.5 to 5 dwelling units per acre	
Street Map Classification	12th Street	Local Street	25-foot east half street

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE* VALUE; HEALTHY NEIGHBORHOODS; DESIGN PRINCIPLE*: New development and expansion or redevelopment of existing development in or near residential areas should be compatible with existing uses and consistent with adopted plans.

The requested R1-8 zoning district is compatible with existing residential developments to the northeast and consistent with the General Plan Land Use Map designation of 3.5 to 5 dwelling units per acre.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS CORE VALUE; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: *Include a mix of*

housing types and densities where appropriate within each village that support a broad range of lifestyles.

The proposal will provide new single-family housing opportunities near other single-family of similar densities. The proposal will broaden the range of housing types and densities available in this neighborhood.

CONNECT PEOPLE AND PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The requested R1-8 zoning districts would allow development of two new residences that are compatible with surrounding neighborhoods and respectful of local conditions. The overall proposed density of the site is similar to densities in the surrounding neighborhood and as stipulated, the proposal incorporates large setbacks, landscaping, and density limits that prevent the development from having a negative impact on the surrounding area.

Applicable Plan, Overlays, and Initiatives

Housing Phoenix Plan – See Background Item No. 6

Zero Waste PHX – See Background Item No. 7

Complete Streets Guidelines – Background Item No. 8.

Surrounding Land Uses/Zoning

	Land Use	Zoning
On Site	Single-Family Residential	S-1
North	Single-Family Residential	S-1
South	Single-Family Residential	S-1
East	Single-Family Residential	R1-10
West	Single-Family Residential	R1-10

R1-8 – Single-Family Residence District (Subdivision Option)		
Standards	**R1-8 Requirements**	**Provisions on the proposed site plan**
Gross Acreage	-	0.47 acre
Maximum Total Number of Units	2	2
Maximum Density	4.30	4.26 (Met)
Minimum Lot Width	70 feet	Approximately 62 feet (Not Met)
Minimum Lot Depth	94 feet	Approximately 137 feet (Met)
Maximum Building Height	2 stories and 30 feet	1 story and 16 feet (Met)
Maximum Lot Coverage	40%	33.98 % (Met)
Minimum Building Setbacks	Front: 20 feet Rear: 25 feet Sides: 10 and 3 feet	Front: 30 feet (Met) Rear: 25 feet (Met) Sides: 10 and 3 feet (Met)

*Variance must be obtained or the site will need to be platted and use the Conventional Development Option.

Background/Issues/Analysis

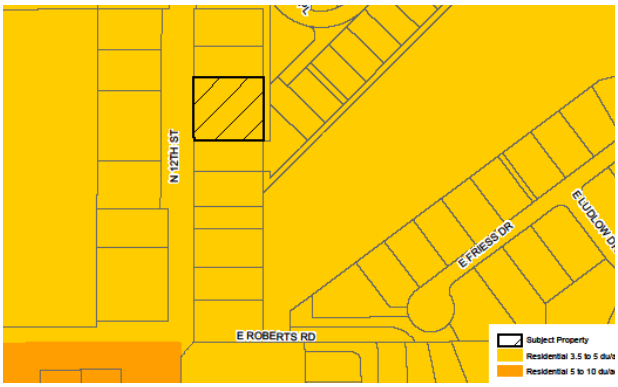
SUBJECT SITE

1. This request is to rezone a 0.47-acre site located approximately 400 feet north of the northeast corner of 12th Street and Roberts Road from S-1 (Ranch or Farm Residence) to R1-8 (Single-Family Residence District) for single-family residential. The site is currently occupied by one single-family home and is adjacent to existing single-family homes to the north, south, east, and west.



GENERAL PLAN AND LAND USE MAP DESIGNATION

2. The General Plan Land Use Map designation for this site is Residential 3.5 to 5 dwelling units per acre. The proposal is consistent with the General Plan Land Use Map designation. The General Plan Land Use designations to the north, south, east, and west are Residential 3.5 to 5 dwelling units per acre.



SURROUNDING LAND USES AND ZONING

3. The request for R1-8 (Single-Family Residence District) is consistent and compatible with the surrounding residential land uses. The surrounding zoning districts are S-1 (Ranch or Farm Residence) to the north and south and R1-10 (Single-Family Residence District) to the east and west. Most of the properties in the area have been developed as single-family residential.

PROPOSAL

4. **Site Plan**

The applicant proposes to develop two new single-family detached homes contingent upon approval of a lot split. The proposal is for two lots, with lot widths of approximately 62 feet and lot depths of approximately of 137 feet. The minimum lot width for the Subdivision Development Option is not met, therefore either a variance would need to be obtained or the site would need to be platted as a two-lot subdivision under the Conventional Subdivision Option. The proposed lots would be able to meet all the development standards applicable to the Conventional Subdivision Option.

5. **Elevations**

The conceptual building elevations depict one-story, detached single-family homes with private garages, variations in textures and facades, and four-sided architecture. Staff recommends a stipulation requiring a minimum front setback above the minimum R1-8 standard in order to be more compatible with residential lots in the immediate area.

STUDIES AND POLICIES

6. **Housing Phoenix**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased

housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units, according to the Housing Phoenix Plan. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety of housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

7. **Zero Waste Phoenix**
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. The City of Phoenix offers recycling services for single-family residential properties.

8. **Complete Streets Guidelines**
The City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. This is addressed in Stipulations No. 2 and 3.

COMMUNITY INPUT SUMMARY

9. As of the writing of this report, staff had not received any community correspondence regarding the proposal.

INTERDEPARTMENTAL COMMENTS

10. The Street Transportation Department commented that the developer shall dedicate 30 feet of right-of-way for the east side of 12th Street and that all street improvements be made to City and ADA standards. These comments are addressed in Stipulations Nos. 2 and 3.

11. The Water Services Department commented that the property has existing water and sewer mains that can potentially serve the development. In addition, the Water Services Department commented capacity is a dynamic condition that can change over time due to several factors.

12. The Fire Department commented that the development will need to comply with Phoenix Fire Code, including requirements to water supply for fire flow.

OTHER

13. The site has not been identified as being archeologically sensitive. However, in the event archaeological materials are encountered during construction, all

ground disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 4.

14. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 5.

Findings

1. The proposed development is consistent with the General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre.

2. The proposal will provide two single-family residential which are consistent with the character of the surrounding area.

3. The proposal incorporates design elements that improve compatibility with the surrounding homes

Stipulations

1. A minimum building setback of 25 feet shall be required along the west property line.

2. A minimum 5 feet of right-of-way shall be dedicated, totaling 30 feet for the east side of 12th Street, adjacent to the development, as approved by the Planning and Development Department.

3. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

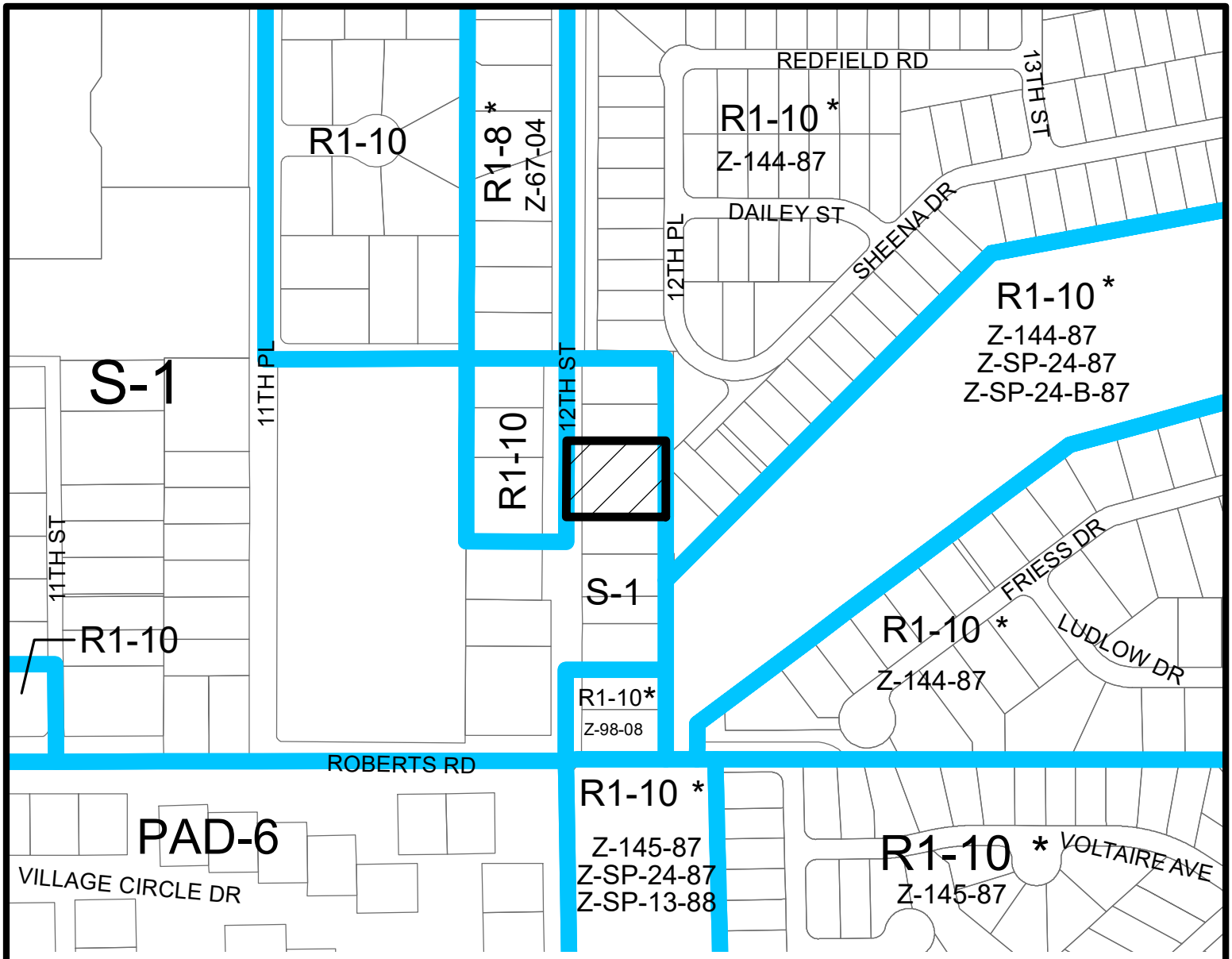
4. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

5. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Writer
Lauren Slim
May 4, 2023

Team Leader
Racelle Escolar

Exhibits
Sketch map
Aerial map
Site plan date stamped April 24, 2023
Building elevations date stamped February 22, 2023

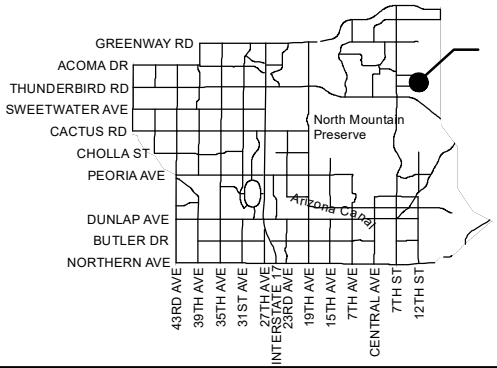


Miles

0.045 0.0225 0 0.045

NORTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 3



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	Taylor Fracasse Architecture, Inc
APPLICATION NO.	Z-15-23
DATE:	3/22/2023
REVISION DATES:	4/27/2023
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.	0.47 Acres
AERIAL PHOTO & QUARTER SEC. NO.	QS 33-30
ZONING MAP	L-9

REQUESTED CHANGE:

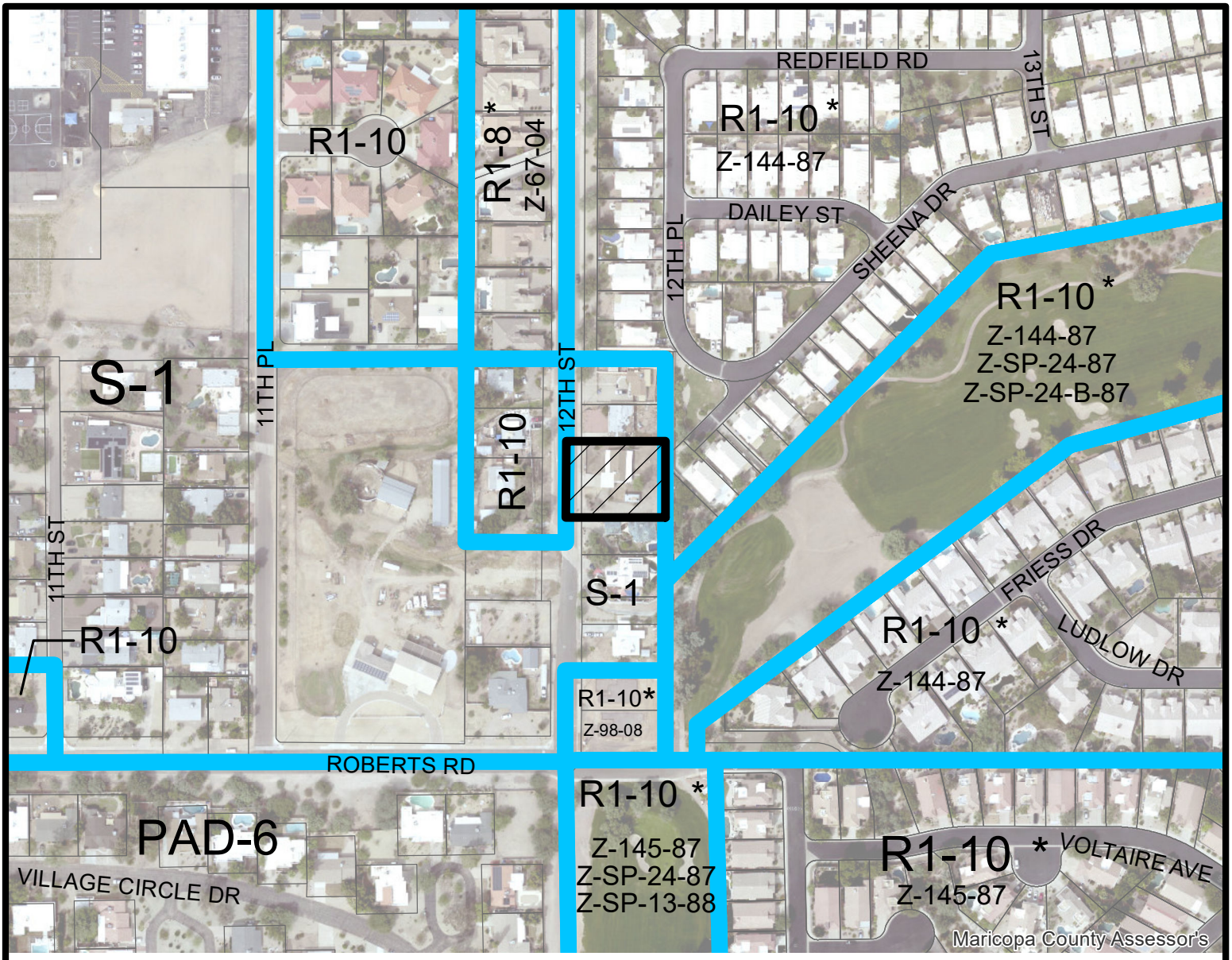
FROM: S-1 (0.47 a.c.)

TO: R1-8 (0.47 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
S-1	N/A	N/A
R1-8	2	2

* **Maximum Units Allowed with P.R.D. Bonus**

Document Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2023\Z-15-23.mxd

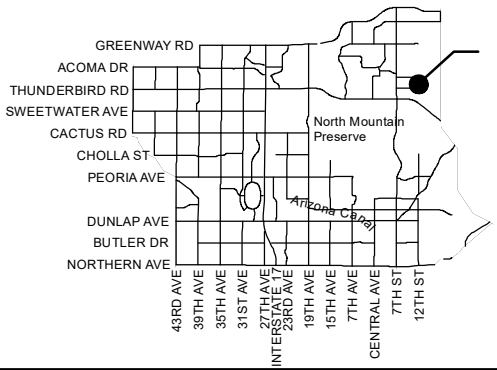


Miles

0.045 0.0225 0 0.045

NORTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 3



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME:	Taylor Fracasse Architecture, Inc
APPLICATION NO.	Z-15-23
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REQUESTED CHANGE:

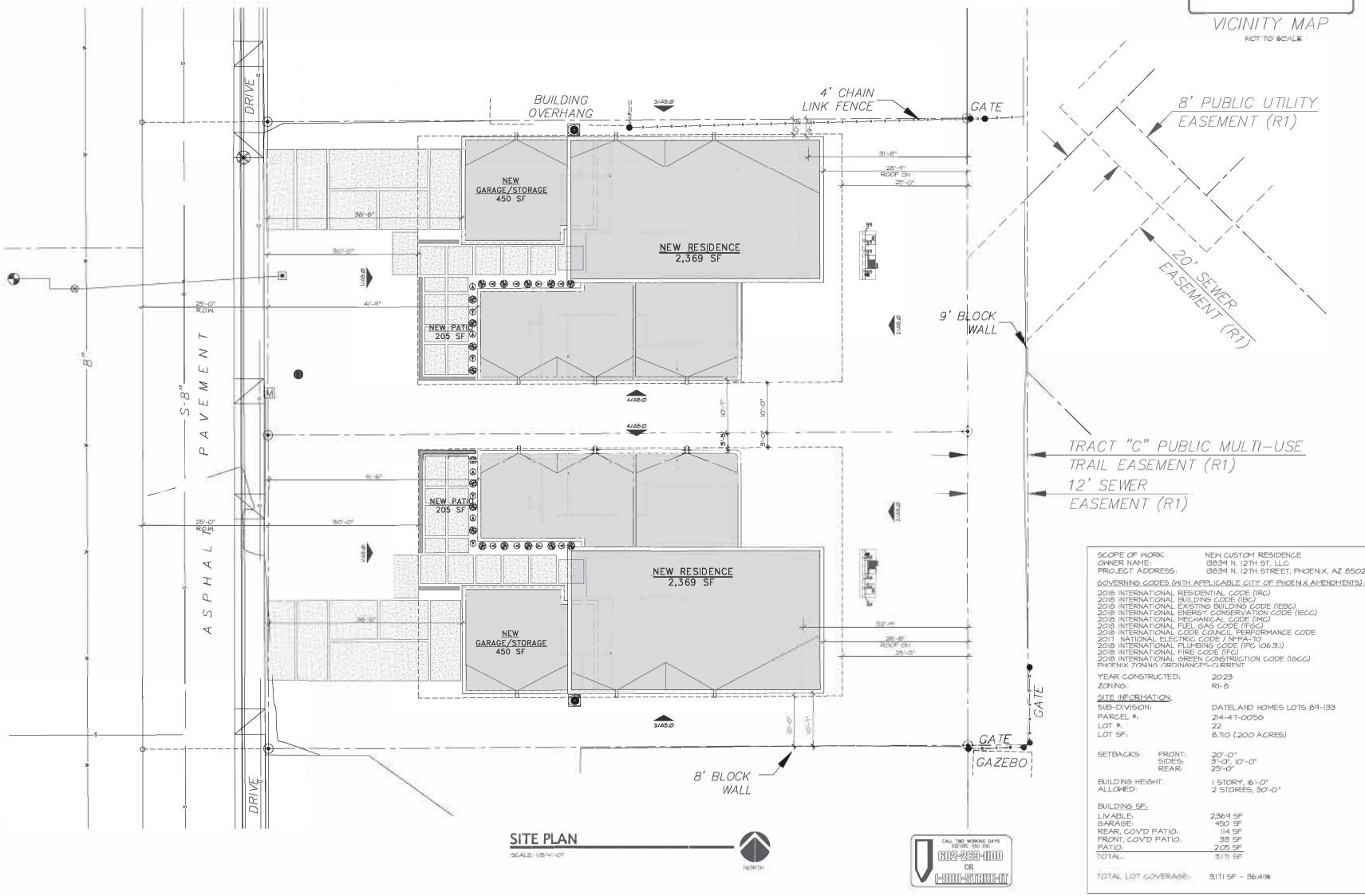
FROM: S-1 (0.47 a.c.)

TO: R1-8 (0.47 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
S-1	N/A	N/A
R1-8	2	2

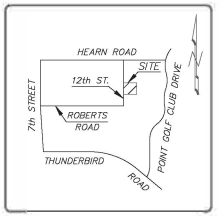
* **Maximum Units Allowed with P.R.D. Bonus**

Document Path: S:\Department Share\Information Systems\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2023\Z-15-23.mxd



SITE PLAN

SCALE: 1/8"=1'-0"



VICINITY MAP

NOT TO SCALE

CITY OF PHOENIX

APR 24 2023

Planning & Development Department

CALL TWO WORKING DAYS BEFORE YOU DIG 602-263-1100 OR 1-800-STAKE-IT

SCOPE OF WORK:	NEW CUSTOM RESIDENCE
OWNER NAME:	13839 N. 12TH ST, LLC
PROJECT ADDRESS:	13839 N. 12TH STREET, PHOENIX, AZ 85022

GOVERNING CODES (WITH APPLICABLE CITY OF PHOENIX AMENDMENTS):

2018 INTERNATIONAL RESIDENTIAL CODE (IRC)
2018 INTERNATIONAL BUILDING CODE (IBC)
2018 INTERNATIONAL EXISTING BUILDING CODE (IEBC)
2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)
2018 INTERNATIONAL MECHANICAL CODE (IMC)
2018 INTERNATIONAL FUEL GAS CODE (IFGC)
2018 INTERNATIONAL CODE COUNCIL PERFORMANCE CODE
2017 NATIONAL ELECTRIC CODE / NFPA-70
2018 INTERNATIONAL PLUMBING CODE (IPC 106.3.1)
2018 INTERNATIONAL FIRE CODE (IFC)
2018 INTERNATIONAL GREEN CONSTRUCTION CODE (IGCC)
PHOENIX ZONING ORDINANCE-CURRENT

YEAR CONSTRUCTED:	2023
ZONING:	R1-8
SITE INFORMATION:	
SUB-DIVISION:	DATELAND HOMES LOTS 84-133
PARCEL #:	214-47-005G
LOT #:	22
LOT SF:	8,710 (.200 ACRES)
SETBACKS: FRONT:	20'-0"
SIDES:	3'-0", 10'-0"
REAR:	25'-0"
BUILDING HEIGHT ALLOWED:	1 STORY, 16'-0" 2 STORIES, 30'-0"
BUILDING SF:	
LIVABLE:	2369 SF
GARAGE:	450 SF
REAR, COVD PATIO:	114 SF
FRONT, COVD PATIO:	33 SF
PATIO:	205 SF
TOTAL:	3,171 SF
TOTAL LOT COVERAGE:	3,171 SF - 36.41%

taylor:fracasse architecture
4425 East Agave Road, Suite #120
Phoenix, Arizona 85044
Tel: 480.659.6745
www.taylorfracasse.com
ARCHITECTURE • PLANNING
INTERIORS • RESEARCH DESIGN

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SUSAN BRIAN FRACASSE — ARIZONA U.S.A. — REGISTERED ARCHITECT — Expires 12-31-24

NEW CUSTOM RESIDENCES
13839 N. 12TH STREET, LLC
13839 N. 12TH STREET
PHOENIX, AZ 85022

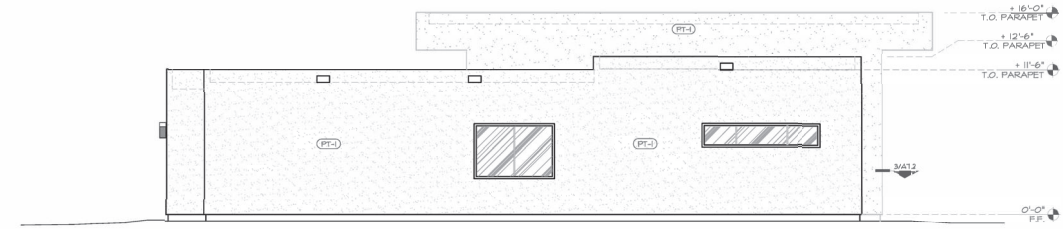
taylor:fracasse architecture

revisions:

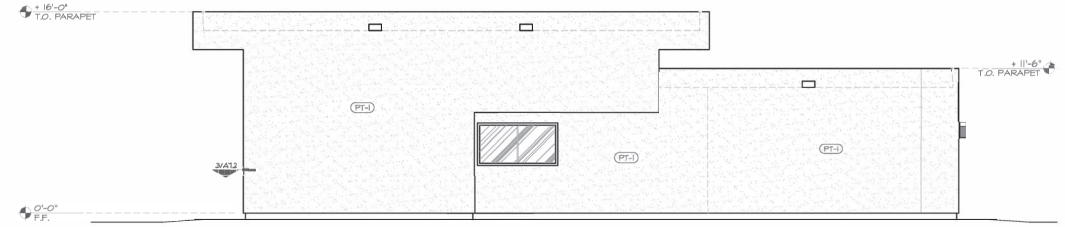
ISSUE DATE:	04.16.23
JOB NUMBER:	23-022
SCALE:	AS NOTED
DRAWN:	BF
CHECKED:	BF
TITLE:	SITE PLAN, NOTES

A0 - 1

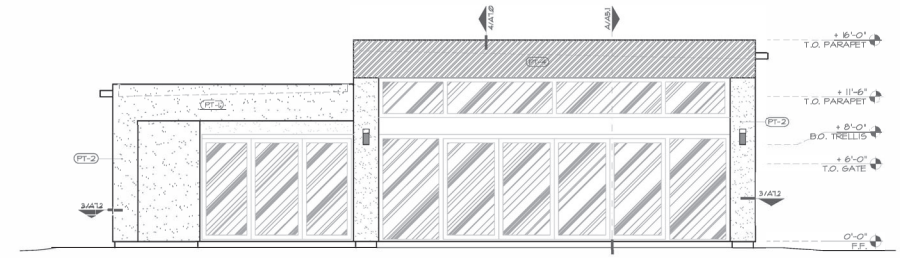
ISSUED FOR PERMIT



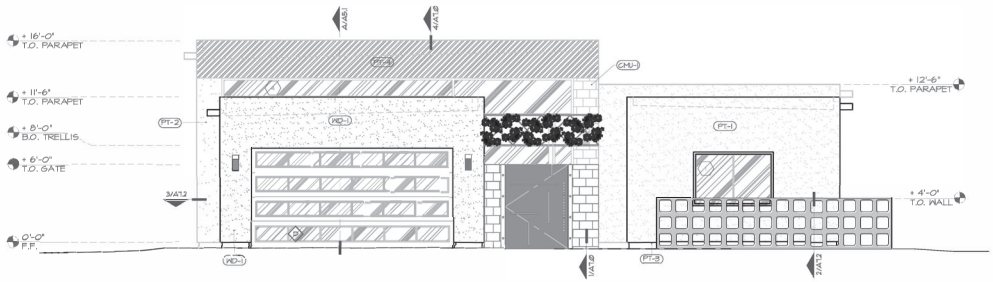
4 NORTH ELEVATION
SCALE: 1/4"=1'-0"



3 SOUTH ELEVATION
SCALE: 1/4"=1'-0"



2 EAST ELEVATION
SCALE: 1/4"=1'-0"



1 WEST ELEVATION
SCALE: 1/4"=1'-0"

CITY OF PHOENIX
FEB 22 2023
Planning & Development Department

taylor:fracasse architecture
4425 East Agave Road, Suite #120
Phoenix, Arizona 85044
Tel: 480.659.6745
www.taylorfracasse.com
ARCHITECTURE PLANNING INTERIORS RESEARCH DESIGN

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seal
REGISTERED ARCHITECT
Brian Fracasse
53896
BRIAN FRACASSE
Date Signed 12-31-24
ARIZONA U.S.A.
Expires 12-31-24

NEW CUSTOM RESIDENCES
13839 N.12TH STREET, LLC
13839 N.12TH STREET
PHOENIX, AZ 85022
taylor:fracasse architecture

revisions:

ISSUE DATE:	02.06.23
JOB NUMBER:	22-022
SCALE:	AS NOTED
DRAWN:	BF
CHECKED:	BF
TITLE:	BUILDING ELEVATIONS

A1-0

ISSUED FOR REVIEW

ATTACHMENT C

North Mountain
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
Z-15-23-3

Date of VPC Meeting	May 17, 2023
Request From	S-1
Request To	R1-8
Proposed Use	Single-family residential
Location	Approximately 400 feet north of the northeast corner of 12th Street and Roberts Road
VPC Recommendation	Approval, per the staff recommendation with direction
VPC Vote	10-2-1

VPC DISCUSSION:

One speaker card was received from an individual in opposition to the request and wishing to speak.

STAFF PRESENTATION

Mr. Klimek, staff, provided an overview of the site, its policy context, the proposal, and the staff recommendation.

APPLICANT PRESENTATION

Mr. Brian Fracasse and **Mr. Sean Coughren** introduced themselves as part owners of the proposed development and representing the applicant team. They provided an overview of their proposal and the rezoning request. The subject site is currently developed with one single-family home and the proposal is to split the lot and to develop two single-family homes on the site. In response to concerns related to area flooding, they stated that the site currently has no retention, and the proposed development will be required to retain the volume of a 100 year storm for two hours so the development will provide a net positive with regard to flooding. The applicant team will not seek variances from any civil requirements such as grading and drainage. In response to the community concern, they shared that they've modified the plan to have a 10 foot setback along the south property line.

QUESTIONS FROM COMMITTEE

Committee Member Perez stated that there is significant traffic volume on and a problem with people parking their vehicles on street. She stated that she lives in the area and did not receive notice of the request. She asked if a traffic study was completed as part of this proposal. **Mr. Fracasse** responded that no traffic study was required due to the small size of the project which will add only a few vehicles.

PUBLIC COMMENTS

Ms. Monta Redd introduced herself and addressed the committee. She shared that the subject site is at a higher elevation than her site which has been flooded due to the impacts of nearby developments. She asserted that the applicant will substantially lower the site in order to access sewer which will increase runoff onto her property; she added that both she and a nearby property owner are on septic because they cannot be serviced by the sewer. The expressed concerns that the proposal will cause harm and is inappropriate to the area which has large lots and a miniature horse farm nearby. She added that she did not receive notice of the request.

Committee Member Veidmark asked Ms. Redd if the site is still flooding. **Ms. Redd** responded that her site has not flooded since she won a lawsuit and a nearby property owner was required to mitigate their impact. She stated that the golf course serves to retain some stormwater but can overflow toward 12th Street with significant events. **Committee Member Veidmark** asked Ms. Redd to confirm that she cannot connect to sewer due to the depth of the sewer. **Ms. Redd confirmed.**

Chair Jaramillo asked staff if there are any known issues that would require septic in this area. **Mr. Klimek** responded that he is not aware of any issues.

Committee Member Perez expressed concern that she did not receive a notification despite living nearby and with the vehicles speeding and parking on the streets.

Committee Member O'Hara asked staff to explain the notification requirements and to confirm how notification requirements are verified. **Mr. Klimek** responded that all applicants are required to contact all property owners within 600' of the site, all registered neighborhood groups within 1 mile. The applicant is then required to provide an affidavit that they met the requirements in addition to a copy of the letter, a map of the areas, and a mailing list. **Committee Member O'Hara** stated that the requirements are quite strict and that lying on an affidavit may be perjury.

APPLICANT RESPONSE

Mr. Fracasse and Mr. Coughren stated that the subject site is the largest on the street but still does not comply with the minimum standards of S-1. The subject site will not remove any dirt from the subject site which is contrary to the assertions of the

complainant. The lot is flat so water will be easily captured. There will be ample off-street parking on the sites including two-car garages and driveway space for another four vehicles. In response to the complaint, the site plan has been adjusted to place a 10 foot wide setback along the south line of the subject site. They reasserted that they will comply with grading and drainage standards.

Chairman Jaramillo asked if the site will drain to the south and if they've confirmed that their site can connect to sewer. **Committee Member Larson** asked where the retention basins are located and where the water will flow then the basin overflows. **Mr. Fracasse** and **Mr. Coughren** responded that there will be a retention berm along the south property line that will redirect water from running off, that the retention basins are located in the back of both lots, and that the lots are required to be graded toward the basin so the house would be more likely to flood next.

Committee Member Freeman asked the applicant to confirm that the retention requirement is that the site must retain a two hour duration of a 100 year storm. **Mr. Fracasse** and **Mr. Coughren** agreed**.**

Committee Members Perez, Veidmark, and **McBride** expressed concern regarding the community outreach. **Committee Member Veidmark** asked staff if he can confirm whether all property owners have been properly notified. **Mr. Klimek** responded that these are process requirements in place but that he couldn't verify during the meeting. **Mr. Fracasse** echoed the allegations about public outreach and stated that they used a trusted consultant for the mailings and would verify after the meeting.

Committee Member Perez asked what would happen if the rezoning were not granted. **Mr. Fracasse** responded that they would likely need to build one very large house that wouldn't fit in with the neighborhood.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE.

Committee Member Veidmark stated that the committee could "continue" the case to a future agenda to allow for additional outreach.

Committee Member Matthews asked staff if the project could move forward to Planning Commission with a recommendation from the VPC to "continue" the case. **Mr. Klimek** responded that the applicant could elect to move forward to Planning Commission even with a recommendation to "continue" from the VPC. The Planning Commission could then hear the case or ask the applicant to return to VPC.

Chair Jaramillo stated that there is still time for another mailing and neighborhood meeting before the June Planning Commission meeting. He asked the applicant what additional outreach can be completed. **Mr. Fracasse** responded that they could complete another mailing, host another neighborhood meeting, and knock on doors in the neighborhood.**Chair Jaramillo** asked if the conditions offered by Mr. Fracasse can

be stipulated. **Mr. Klimek** suggested the committee provide "direction" with their recommendation to complete additional outreach prior to Planning Commission.

Vice Chair Fogelson stated that there are multiple requirements and reviews regarding flood mitigation and retention and that she is confident in those processes. She added that the applicant has signed an affidavit as evidence that they've met the notification requirements.

Committee Member Matthews stated that many people will be unavailable between now and the Planning Commission date due to the Memorial Day holiday.

MOTION:

Committee Member Matthews made a motion to postpone Z-15-23-4 to a future meeting of the North Mountain Village Planning Committee to allow for additional public outreach. **Committee Member Wiedoff** seconded the motion.

DISCUSSION:

Chair Jaramillo noted that there is not a Planning Commission meeting in July so a postponement would delay the project by at least two months, not one. He stated he would prefer to ask for outreach while still targeting the June 1 Planning Commission Meeting. Committee Member Freeman echoed these points.

VOTE: 5-8-0, motion to postpone Z-15-23-3 to a future meeting to allow for additional outreach fails with Committee Members Larson, Matthews, Perez, Veidmark, and Wiedoff in favor; Committee Members Alauria, Freeman, McBride, O'Connor, O'Hara, Whitney, Vice Chair Fogelson, and Chair Jaramillo in opposition; and none abstaining.

MOTION:

Vice Chair Fogelson made a motion to recommend approval of Z-15-22-3 per the staff recommendation. Committee Member McBride seconded the motion.

Committee Member Matthews asked for a friendly amendment to provide direction to the applicant to complete additional outreach prior to the Planning Commission Meeting.

Vice Chair Fogelson and **Committee Member McBride** accepted the friendly amendment. The motion is to recommend approval of Z-15-23-3 per the staff recommendation with direction that the applicant complete additional outreach prior to the Planning Commission Meeting.

DISCUSSION:

Committee Member Perez stated that public engagement is important and should be taken seriously. She added that one concern is too many when it comes to something that might impact other properties.

VOTE: 10-2-1, motion to approve Z-15-23-3 per the staff recommendation with direction that the applicant complete additional outreach prior to Planning Commission passes with Committee Members Alauria, Freeman, Larson, Matthews, McBride, O'Connor, O'Hara, Whitney, Vice Chair Fogelson, and Chair Jaramillo in favor; Committee Members Perez and Wiedoff in opposition, and Committee Member Veidmark abstaining.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:
None.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION
June 1, 2023

ITEM NO: 11	
	DISTRICT NO.: 3
SUBJECT:	
Application #:	Z-15-23-3
Location:	Approximately 400 feet north of the northeast corner of 12th Street and Roberts Road
From:	S-1
To:	R1-8
Acreage:	0.47
Proposal:	Single-family residential
Applicant:	Taylor Fracasse Architecture, Inc.
Owner:	13839 North 12th St, LLC
Representative:	Brian Fracasse

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
North Mountain 5/17/2023 Approval, per the staff recommendation, with direction. Vote: 10-2.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion: N/A

Motion details: Commissioner Gorraiz made a MOTION to approve Z-15-23-3, per the staff recommendation.

Maker: Gorraiz
Second: Acting Vice-Chairperson Boyd
Vote: 6-2 (Perez and Simon)
Absent: Howard
Opposition Present: Yes

Findings:

1. The proposed development is consistent with the General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre.

2. The proposal will provide two single-family residential which are consistent with the character of the surrounding area.

3. The proposal incorporates design elements that improve compatibility with the surrounding homes.

Stipulations:

1. A minimum building setback of 25 feet shall be required along the west property line.

2. A minimum 5 feet of right-of-way shall be dedicated, totaling 30 feet for the east side of 12th Street, adjacent to the development, as approved by the Planning and Development Department.

3. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

4. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33- foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

5. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.

ATTACHMENT E

CITY OF PHOENIX
PLANNING AND DEVELOPMENT DEPARTMENT

FORM TO REQUEST PC to CC **I HEREBY REQUEST THAT THE CC HOLD A PUBLIC HEARING ON:**					
APPLICATION NO/ LOCATION	**Z-15-23-3** Approximately 400 feet north of the northeast corner of 12th Street and Roberts Road (13839 North 12th Street)	***(SIGNATURE ON ORIGINAL IN FILE)***			
		opposition	**x**	**applicant**	
APPEALED FROM:	PC 6/1/23	13827 North 12 Street Phoenix, AZ 85022			
	PC DATE	*STREET/ADDRESS/CITY/STATE/ZIP*			
TO PC/CC HEARING	CC 7/3/2023 (10AM)	**Monta L. Redd** 602-942-3069 monta@cox.net			
	CC DATE	*NAME / PHONE / EMAIL*			
REASON FOR REQUEST: Oppose subdividing lot into two parcels.					
RECEIVED BY:	Jerroid Hopkins	**RECEIVED ON:**		6/8/2023	

Alan Stephenson
Joshua Bednarek
Tricia Gomes
Racelle Escolar
Stephanie Vasquez
Diana Hernandez
David Urbinato
Vikki Cipolla-Murillo

Greg Harmon
Paul M. Li
Village Planner
GIS
Applicant
Byron Easton (for PHO Appeals)

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

The **PLANNING COMMISSION** agenda for **June 1, 2023** is attached.

The **CITY COUNCIL** may approve the recommendation of the Planning Commission without further hearing **unless**:

1. A **REQUEST FOR A HEARING** by the **CITY COUNCIL** is filed within seven (7) days.

   There is a $630.00 appeal fee for hearings requested by the applicant, due by 5:00 p.m. **June 8, 2023**.

   Any member of the public may, within seven (7) days after the Planning Commission's action, request a hearing by the City Council on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. **June 8, 2023.**

2. A **WRITTEN PROTEST** is filed, no later than seven (7) days after the Planning Commission's action, which requires a three-fourths vote. A written protest will require a three-fourths vote of the City Council to approve a zoning change when the owners of at least 20 percent of the property by area and number of lots, tracts, and condominium units within the zoning petition area have signed the petition. The zoning petition area includes both the area of the proposed amendment, and the area within 150 feet of the proposed amendment, including all rights-of-way. For condominium, townhouse and other types of ownership with common lands, authorized property owner signatures are required. Please see Planning and Development Department Staff for additional information prior to gathering signatures.

   To require a three-fourths vote of the City Council for approval, a written protest for applications on this agenda must be filed with the Planning and Development Department by 5:00 p.m. **June 8, 2023.**

   The Planning and Development Department will verify ownership by protestors to determine whether or not a three-fourths vote will be required.

3. A **CONTINUANCE** is granted at the **PLANNING COMMISSION**. In the event of a continuance, there is an $830.00 fee due from the applicant within fourteen (14) days, by 5:00 p.m. **June 15, 2023.**

FORM TO REQUEST CITY COUNCIL HEARING

I HEARBY REQUEST THAT THE CITY COUNCIL HOLD A PUBLIC HEARING:

Z-15-23-3
APPLICATION NO.

6-1-2023
DATE APPEALED FROM

☒ OPPOSITION
☐ APPLICANT

13839 N. 12th St, Phx, Az 85022
LOCATION OF APPLICATION SITE

Jerroid Hopkins Planner I
PLANNER
(PLANNER TAKING THE APPEAL)

BY MY SIGNATURE BELOW, I ACKNOWLEDGE CITY COUNCIL APPEAL:

MONTA L. REDD
PRINTED NAME OF PERSON APPEALING

Monta L Redd
SIGNATURE

13827 No. 12th St.
STREET ADDRESS

6-8-23
DATE OF SIGNATURE

Phoenix, Az 85022
CITY, STATE & ZIP CODE

602-942-3069
TELEPHONE NO.

montaredd@cox.net
EMAIL ADDRESS

CITY OF PHOENIX
JUN 08 2023
Planning & Development Department

REASON FOR REQUEST

Oppose subdividing lot into two parcels

APPEALS MUST BE FILED IN PERSON AT 200 WEST WASHINGTON, 2ND FLOOR, ZONING COUNTER

05-09-2023 Opposition Letter re: Z-15-23 3

North Mountain Village Committee Meeting
Scheduled meeting: May 17, 2023, 6:00pm, Request to speak, 2 minutes

Monta L. Redd, 13827 N. 12th St., Phx, AZ 85022, monta@cox.net, 602-942-3069 landline

Rezoning this parcel differently than its surrounding uses will not serve a public benefit to the other properties. It is considered "spot zoning" for the sole benefit of a LLC business that purchased this lot to make money to the detriment of neighboring property owners.

The applicant proposes to build two houses on a lot that is meant for, and is currently occupied by one house. This lot is too small in lot dimensions and square footage to be divided into two lots and it will not comply with R1-8 zoning ordinances.

I am not opposed to the applicant redeveloping this property, however, splitting this lot to build two houses that will require serious grading of the land will be detrimental to properties on this street that experience severe flooding issues. Building one large beautiful home on this lot will not require the hazardous grading and will maintain the properties lot coverage at a low density which this street desperately needs to maintain. Applicant could build a 3,000 sf house with a 3 car garage, covered porch and patio with a lot coverage of approximately 25%.

City of Phoenix Staff Report

Page 1 - The requested R1-8 zoning is compatible with existing residential developments to the northeast

The residential development northeast that the Staff Report is comparing our street to is Fairview at the Pointe. This is a planned area development with tract style housing, an HOA that has monthly fees and regulations that forbid RVs, boats, livestock, etc. R1-8 zoning is compatible with that development; however, it is not compatible for our street with S-1 and R1-10 properties with typical lots 10,000sf to 14,000sf including 17,000sf and 20,000sf lots, and a property across the street that has a 4+ acre ranch and raises miniature horses. Properties on our street enjoy equestrian and agriculture privileges, and ample parking for our outdoor hobbies and multiple vehicles.

The applicant's property, once split, will not have equestrian/agriculture privileges, or ample parking due to their small lots. This fact will be detrimental to the future owners of the applicant's proposed properties as they will be surrounded by the loud noises and unique odors that come from horses, chickens, roasters, collector car mechanics, and a race car hobbyist. The future owners need to be warned regarding this street's

composition. The typical buyer for the applicant's property will be looking for a home in an HOA community where they are surrounded by similar houses. Our street will negatively affect the value of the applicant's houses.

Please see a similar situation that was address by the Maryvale Village Planning Committee: Staff Report: Z-11-22-5 May 11, 2022 Page 5 of 11

The surrounding large lot RE-35 single-family residences to the north, east, and south have an established equestrian and agricultural character. To ensure that future owners of the proposed new houses are aware of near-by agricultural uses, Stipulation No. 14 requires the disclosure of agricultural uses

Page 1, continued on Page 2 - The proposal will provide new single-family housing opportunities near other single-family of similar densities. The proposal will broaden the range of housing types and densities available in this neighborhood.

The applicant will not be broadening a range of housing types, in fact the opposite. The amenities the applicant's property now offers are rare and almost extinct and after the property is split the lots will no longer have these amenities. The higher density, 8,000sf and 10,000sf lots, and more restrictive lifestyle is predominate in this area.

The applicant will be increasing the lot density from 20% to 36%. It is imperative that this street stay low density with properties that have a small percentage of lot coverage due to the extreme flooding issues. **Exhibit A.** Lot coverage is the percentage of the total lot area that is covered by impervious (inflexible) surface. ***Impervious surfaces are regulated because, when more land is covered with buildings and pavement, water runoff can cause drainage problems on that property and to neighboring properties.*** S-1 zoning has a 20% lot coverage. R1-8 has a 40% lot coverage. Typical properties on this street have 11% to 19% lot coverage. My property is at 11%. The medium is 14%. The applicant's property will have 36% coverage. The applicant states his lot coverage as 33%, however, the Staff Report failed to include the covered patio and porch in the calculations which is required. His lot currently has 13% lot coverage.

12th Street is a rolling street that takes a large dip in the middle. My house and my neighbor to the south are located at the lowest elevation of this street and next to the Moon Valley Wash, which is a designated 30' Wash. This location on 12th Street backs Lookout Mountain Golf Course and their large retention basin. During heavy rainstorms this basin will overflow into the Moon Valley Wash. 12th Street has 5 distinct washes and 2 natural waterways between Hearn Road and Roberts, a distance of about 1000'. The washes are between 30' and 41', waterway are 10' to 17' **Exhibit B.** Besides the overflow of floodwater from the Moon Valley Wash, our street receives diverted flood water from the northern hillside properties located near the base of

Lookout Mountain Preserves and from the south from North Mountain Preserves. Hillside 9 Subdivision (north) in particular has two large manmade washes, one running down the middle of their subdivision (55'+) and the 2nd (36') at the east end of their subdivision. These washes start at the base of Lookout Mountain Preserves, run through the subdivisions and divert their rainwater and debris to 12th Street. The 55' wash disperses the flood water down to and then across Hearn Road, to another 32' drainage wash that diverts all this rushing flood to 12th Street. There are several smaller private drainage paths on Hearn Road in addition to the two large washes. **Exhibit C.** Please note the aerial map showing the Hillside Subdivision and the large wash down the center. The Fairway at The Pointe and The Summit at the Pointe are Subdivisions north and east that divert their flood water to the golf course and Moon Valley Wash behind 12th Street. **Exhibit D.** Our street gets extensive flood water, debris, garbage, and even rock boulders from the north and from the south.

Page 2 - The requested R1-8 zoning is respectful of local conditions. The proposal incorporates large setbacks, landscaping, and density limits that prevent the development from having a negative impact on the surrounding area.

The applicant's proposal does not respect local conditions and it does not include large setbacks nor does it prevent a negative impact on the surrounding area.

Properties on our street have maintained the S-1 zoning 40' frontline set back. Typical side setbacks no longer conform with the S-1 zoning, however, properties currently enjoy large open space with 19' to 56' between houses.

The applicant's proposed two properties with their 30' front set back will jet out in front of the current houses and will be aesthetically unappealing and block the neighbor's views.

Paradise Valley Village Committee had a similar issue with Z-7-22-3 and addressed the 40' frontline setback as follows:

April 28, 2022, Page 5 of 9, #4 Proposal

"To avoid potential conflicts with the surrounding character and to ensure the site develops as proposed, staff recommends a stipulation to require a minimum 40- foot front yard setback (Stipulation No. 2). The proposed development includes a setback of 40 feet which would mitigate the concern of loss of open space and be more compatible with the larger lots in the area."

The most serious aspect of this proposal is the flooding issues that will damage properties to the south of the applicant.

The applicant's property is my neighbor to the north and is 4' higher than my property. The applicant's property has an 8' 45 degree angle that slopes downward 4' to my property. In addition, there is a natural waterway between our properties that the applicant intends on building one of his houses on. **Exhibit E**. I understand the applicant intends on lowering his lot 2' to 3'. This is hearsay I heard from a neighbor.

The applicant drastically altering the topography of their lot by lowering it 2' to 3', building over a natural water way, and increasing their current lot coverage from 13% to 36% will produce excess floodwater that has to go someplace and I fear it will end up flooding into my property and possibly my neighbor to the south also.

Generally, when a neighborhood is planned, there is a grading and drainage plan submitted to the city or county that is approved and confirmed by the inspectors, and that is what it is. No one can just unilaterally decide to change it. There is an established path of drainage through the properties that they have to respect.

My property has been severely flooded 8 times due to two neighbors on 12th Street altering their properties through grading. To save my property from destruction I had to file two civil lawsuits to get injunctions forcing the neighbors to return their properties to their original condition. I suffered over $100,000 in damages and legal costs. My neighbor to the south was also flooded. Exhibit F. I prevailed in my lawsuits and neither my property nor my southern neighbor have been flooded for 10 years since the corrections were made to the properties. There is currently a new civil lawsuit that was filed on January 20, 2023, by the Villages Homeowners Association due to their flooding problems. The Villages subdivision is directly south of our street, across Roberts Road, and backs the same golf course. There are ten homes and the common areas that are getting flooded. The lawsuit case number is CV2023-001069. The flood water that they receive originates from the North Mountain Preserves which flows down the golf course, past, and unfortunately into their subdivision, and then to the Moon Valley Wash on 12th Street.

This area/neighborhood and especially 12th Street is highly sensitive to flooding due to erosion and people who negligently alter their properties without knowing and/or caring about the consequences. The applicant does not live in this area nor do they plan on living in their proposed houses.

Page 2 – Surrounding Land Uses/Zoning
On Site – S-1
North **– R1-10, (**not S-1 as listed in Staff Report)
South – **R1-10, PAD 6** (not S-1 as listed in Staff Report)
East **– Lookout Mountain Golf Course and retention basin** (R1-10 across golf course)
West **– S-1, R1-10** mixed (listed as only R1-10)

Page 3 – R1-8 Standards and Requirements and Site Proposed Provisions
Maximum Lot Coverage 40% R1-8 required 36% Proposed
As noted earlier the applicant didn't include the covered patio and porch which is required in calculating the lot coverage. The proposed lot coverage is below R1-8 zoning, however, S-1 has a 20% lot coverage which properties on this street have and need to continue to maintain due to the heavily flooding.

Minimum Building Setbacks R1-8 Required 20′ front, and 3′ and 10′ side. Proposed 30′ front set back, 10′ and 3′ side set back. Properties on this street have 40′ frontline setbacks.

Applicant's recent survey goes against the legal description recorded in Assessors Records which state that the lot is .37 of an acre. Applicant says it is .39 of an acre and eliminated the .37 from the legal description they submitted. **Exhibit G.** Applicant's .39 survey has the neighbor to the north encroaching onto the applicant's property 3′ including the setback. To adhere to required side setbacks the applicant will have to build their fence on top of the neighbor's driveway and into their backyard. If they elect to give this area to their neighbor and move their side set back instead, they would no longer conform to zoning ordinances. This issue needs to be address to determine the actual side setbacks applicant will use to determine if another variance will be required. **Exhibit H.**

The applicant's plans on lowering their elevated lot 2′ to 3′ will require a retainer wall alongside the borderline and the southern fence which I own. Removing 2′ to 3′ of dirt away from a fence will weaken and expose the footings. Due to the topography on this lot, my fence runs from 7′ to 6′ tall. If the applicant lowers his lot my fence (on my lot) will be 8′ to 10′ tall and will not conform to building code which is 6′ tall. I do not know what the legal ramifications will be regarding an illegal fence height.

There is a 12′ non recorded sewer and a multi-purpose trail easement at the back of the applicant's property that is not fenced. The applicant indicated his intension of including this area in his lot and it is unknown if this easement will also be lowered and possibly expose or weaken the 12″ PVC sewer line.

The applicant will have to build a retainer wall alongside my fence to lower his property so it is buildable. A retainer fence requires an additional foot between structures. Having these two fences in place is aesthetically very unattractive. I have included pictures of my neighbor to the south who had a similar retainer wall professionally installed when the lot next door to him was lowered. **Exhibit I**

There is also an issue with the gas line being located on the southern borderline of our properties from the street and running 42′. Lowering this property will require a retainer fence and footings to hold back the applicant's property in the exact area where

the gas line is located. It is illegal to build a fence on top of a high pressure gas line. This needs to be addressed. Move the gas line; and if is so where to, and who pays for it?

Page 4, #4 Site Plan – Proposal

The applicant does not meet the minimum lot width for R1-8 zoning which is 70'. The applicant proposed lot split will have 62' lot widths. The applicant stated in a letter to Development Services Department on March 17, 2023, they were going to apply for a variance to reduce the required lot width for lot 1 to 50', and for lot 2 to 60'.

In every re-zoning case that I have read and/or attended there is a paragraph in the Staff Report that states:

<u>Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements.</u>

North Mountain Village Committee Staff Report dated May 5th 2023 states that the applicant does not meet the lot width for R1-8, however, does not provide this statement and instead indicates that the applicant won't have to comply with zoning ordinances. Per the Staff Report, the applicant's site can be platted as a two-lot subdivision under the Conventional Subdivision Option and the lots would be able to meet all the development standards. From what I have read/researched the lots will still have to conform to applicable city or state regulations. Exempting the applicant from having to comply with zoning ordinances defeats the purpose of zoning which is to protect neighborhoods with standards to prevent negative impacts on their properties.

One of the goals outlined in Phoenix's General Plan: "Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties. "

For the applicant to get a variance they would have to prove a hardship.

Per the North Mountain Village Handbook P. 10 the Applicant has to meet four certain tests to determine the viability of a variance request. The applicant can't meet any of the hardship tests.

Page 4, #5 Elevations

Properties on this street are all single level homes with 40' frontline setbacks. The applicant's proposed one-story elevation is compatible with our street. The applicant's proposed design is attractive and would complement any subdivision.

Page 5, #9 Community Input Summary
The applicant never sent out notices nor held a meeting for the neighborhood. The owner told me months ago that he had already been approved for rezoning.

Page 5, Interdepartmental Comments
#11 Water Services Department –
Properties on this street are not connected to the city sewer system and have septic systems, including the applicant's property. A private builder installed a sewer line on our street in 2007. Due to our rolling street the sewer line was placed much higher than the typical required depth. I was told my property was too low in elevation to connect to the sewer line. If the applicant lowers his lot they could be too low to tap into the sewer line and will have to install new septic systems. Due to his high density lot coverage and the square footage needed for septic systems, it might not be possible to install septic systems. This was not addressed in the Water Services letter.

In Summary:

One of the goals outlined in Phoenix's General Plan:

Every neighborhood and community should have a level of certainty.

Ensure that development, redevelopment and infrastructure support and reinforce the character and identity of each unique community and neighborhood.

Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance.

Zoning laws are legally binding and regulate the impact of land use that may not be in the best interests of the people, generally including such things as:

• Protecting the value and enjoyment of properties by separating incompatible land uses and minimizing their potentially negative impacts upon each other.

• Protecting the value and enjoyment of properties by allowing a property its most appropriate land use given its location and surrounding uses.

Decisions to rezone a parcel should be based on logical and sound analysis rather than personalities, preferences, or property owners.

Thank you for your time,

Monta L. Redd
13827 N. 12th Street, Phoenix, AZ 85022
monta@cox.net
602-9423069 landline

Exhibit A











Exhibit B



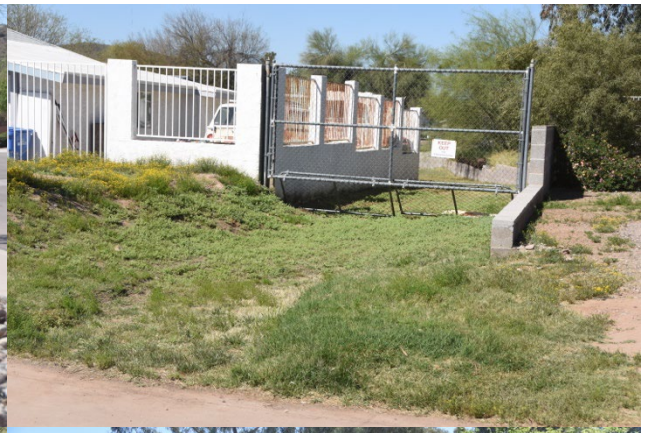








Exhibit C










Exhibit C

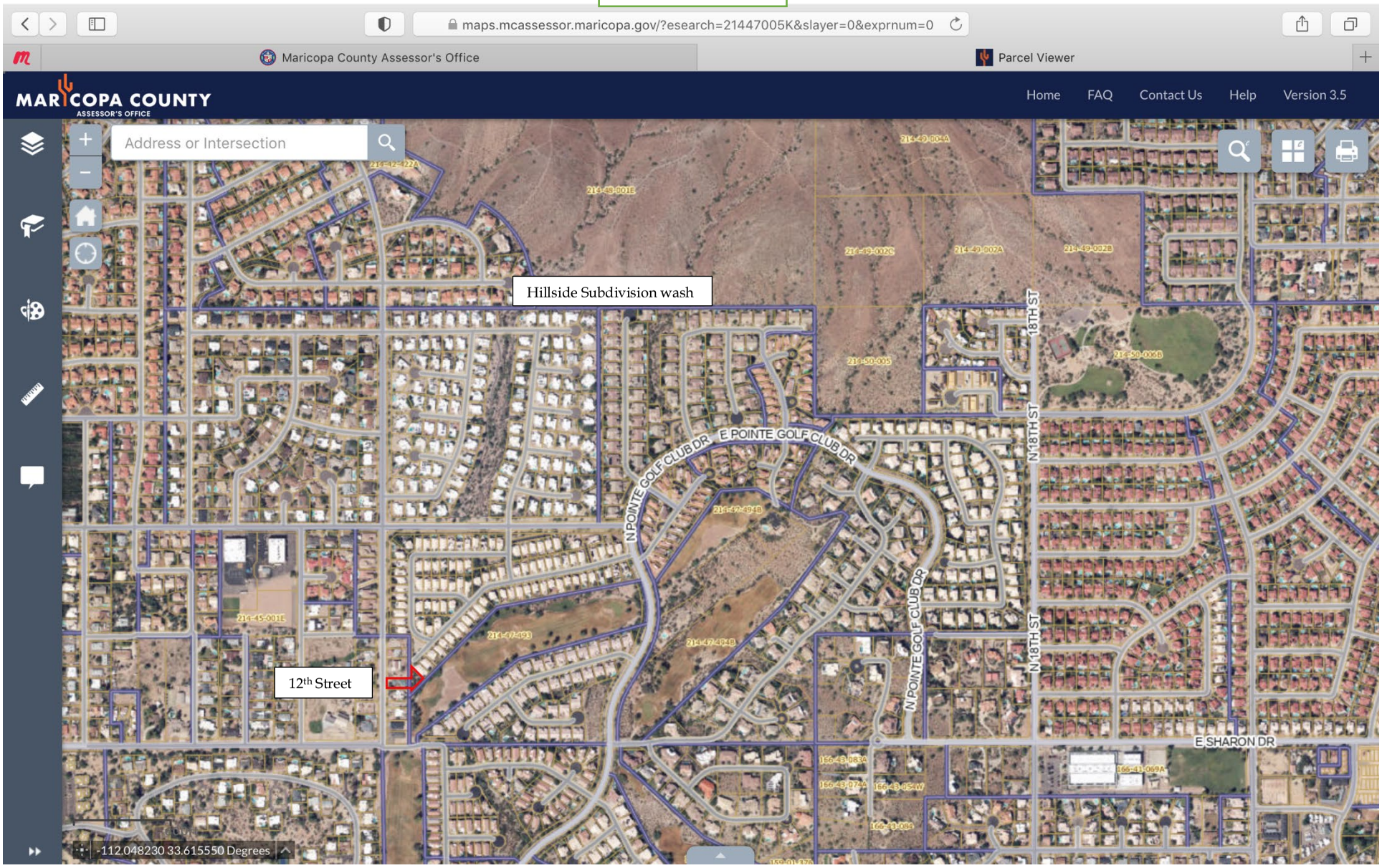

maps.mcassessor.maricopa.gov/?esearch=21447005K&slayer=0&exprnum=0
Maricopa County Assessor's Office
Parcel Viewer
MARICOPA COUNTY
ASSESSOR'S OFFICE
Home
FAQ
Contact Us
Help
Version 3.5
Address or Intersection
Hillside Subdivision wash
12th Street
E POINTE GOLF CLUB DR
N POINTE GOLF CLUB DR
N 18TH ST
E SHARON DR
-112.048230 33.615550 Degrees

Exhibit D



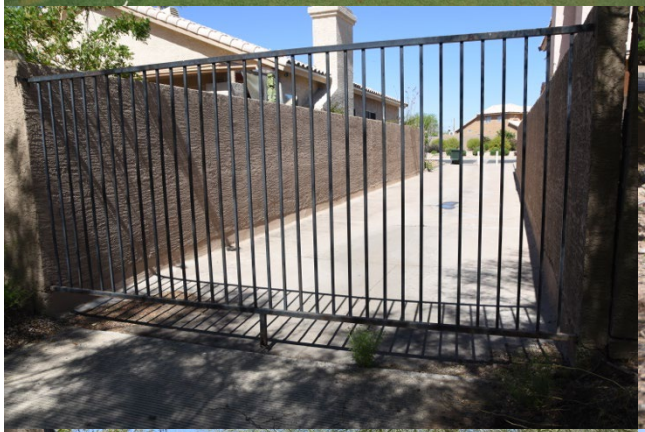







Exhibit E








Exhibit F



Exhibit G



13839 N 12TH ST PHOENIX 85022

MCR #	
Description	N2 W2 W2 SW4 SW4 SE4 EX S 70' & EX N 135' & EX W 25' RD .37 AC
Lat/Long	|
Lot Size	17,162 sq ft.
Zoning	S-1
Lot #	
High School District	PARADISE VALLEY UNIFIED #69
Elementary School District	PARADISE VALLEY UNIFIED SCHOOL DISTRICT
Local Jurisdiction	PHOENIX
S/T/R ⓘ	9 3N 3E
Market Area/Neighborhood	27/001
Subdivision (0 Parcels)	

OWNER INFORMATION

Exhibit H



Exhibit I





05-30-2023 Opposition Letter re: Z-15-23 3

Phoenix Planning Commission
Scheduled meeting: June 1, 2023, 6:00pm, Request to speak

Monta L. Redd, 13827 N. 12th St., Phx, AZ 85022, monta@cox.net, 602-942-3069 landline, 602-619-7178 cell.

NOTE: The applicant scheduled the only neighborhood meeting for May 30, 2023 at 6:00pm with a 5 day notice. This opposition letter will not include information received at the neighborhood meeting.

Rezoning this parcel differently than its surrounding uses will not serve a public benefit to the other properties. It is considered "spot zoning" for the sole benefit of a LLC business that purchased this lot to make money to the detriment of neighboring property owners.

The applicant proposes to build two houses on a lot that is meant for, and is currently occupied by one house. This lot is too small in lot dimensions and square footage to be divided into two lots and it will not comply with R1-8 zoning ordinances.

The custom build houses submitted to the North Mountain Village Committee and approved by a vote of 10-2 were for 2,300 sqft houses, a 25' frontline setback, and 36% lot coverage. The houses now being submitted to the Planning Commission are for 2,511 sqft houses with a 20' front lot line., and 39% lot coverage Note: all the houses on our street have a 40' frontline setback and a medium lot coverage of 14%.

Due to the 4' higher elevation that their property has over my mine will require extensive grading and will alter a natural waterway and flood drainage on a street that already receives extensive heavy flooding from the north, south and east. My fence will be in jeopardy of being weaken and possibly damaged. **Exhibit E**

I am not opposed to the applicant redeveloping this property, however, splitting this lot to build two houses that will require serious grading of the land will be detrimental to properties on this street that already experienced severe flooding issues. Please note that the applicant's property is 4' higher in elevation than my property with an 8' 45 degree sloping angle. Building one large beautiful home on this lot will not require the hazardous grading and will maintain the properties lot coverage at a low density which this street desperately needs to maintain. Applicant could build a 3,000 sf house with a 3 car garage, covered porch and patio with a lot coverage of approximately 24%.

City of Phoenix Staff Report

Page 1 - The requested R1-8 zoning is compatible with existing residential developments to the northeast

R1-8 zoning is not compatible for our street with S-1 and R1-10 properties and typical lots 10,000sf to 14,000sf including 17,000sf and 20,000sf lots, and a property across the street that has a 4+ acre ranch and raises miniature horses. Properties on our street enjoy equestrian and agriculture privileges, and ample parking for our outdoor hobbies and multiple vehicles

Page 1, continued on Page 2 - The proposal will provide new single-family housing opportunities near other single-family of similar densities. The proposal will broaden the range of housing types and densities available in this neighborhood.

The applicant will not be broadening a range of housing types, in fact the opposite. The amenities the applicant's property now offers are rare and almost extinct and after the property is split the lots will no longer have these amenities. The higher density, 8,000sf and 10,000sf lots, and more restrictive lifestyle is predominate in this area.

The most serious aspect of this proposal is the flooding issues that 12th Street experiences.

The applicant will be increasing the lot density from 13% to 39%. It is imperative that this street stay low density with properties that have a small percentage of lot coverage due to the extreme flooding issues. **Exhibit A.** Lot coverage is the percentage of the total lot area that is covered by impervious (inflexible) surface. ***Impervious surfaces are regulated because, when more land is covered with buildings and pavement, water runoff can cause drainage problems on that property and to neighboring properties.*** S-1 zoning has a 20% lot coverage. R1-8 has a 40% lot coverage. Typical properties on this street have 11% to 19% lot coverage. My property is at 11%. The medium is 14%. The applicant's property will have 39% coverage. The applicant states his lot coverage as 33%, however, the Staff Report was based on a 2,300 sqft property and failed to include the covered patio and porch in the calculations which is required. His lot currently with the one house has 13% lot coverage.

12th Street backs Lookout Mountain Golf Course and their large retention basin. During heavy rainstorms this basin will overflow into the 30' designated Moon Valley Wash and then to our street. Besides the overflow of floodwater from the Moon Valley Wash, our street receives diverted flood water from the northern hillside properties located near the base of Lookout Mountain Preserves and from the south from North Mountain Preserves. These properties were not designed to retain their own flood water. Hillside 9 Subdivision (north) in particular has two large manmade washes that divert their rainwater and debris to 12th Street. **Exhibit C,** map of subdivision and Lookout

Mountain Preserves. The Fairway at The Pointe and The Summit at the Pointe are Subdivisions north and east that divert their flood water to the golf course and Moon Valley Wash behind 12th Street. **Exhibit D.** Our street gets extensive flood water, debris, garbage, and even rock boulders from the north and from the south.

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There is currently a new civil lawsuit that was filed on January 20, 2023, by the Villages Homeowners Association due to their flooding problems. The Villages subdivision is directly south of our street, across Roberts Road, and backs the same golf course. There are ten homes and the common areas that are getting flooded. The lawsuit case number is CV2023-001069. The flood water that they receive originates from the North Mountain Preserves which flows down the golf course, past, and unfortunately into their subdivision, and then to the Moon Valley Wash on 12th Street. Depending on what the solution is for the flooding of this subdivision, our street could be receiving even more flood water in the future if/when water is diverted from entering the Villages subdivision.

The combination of these two property alterations are going to be devastating to homeowners on 12th Street.

Page 2 - The requested R1-8 zoning is respectful of local conditions. The proposal incorporates large setbacks, landscaping, and density limits that prevent the development from having a negative impact on the surrounding area.

The applicant's proposal does not respect local conditions and it does not include large setbacks nor does it prevent a negative impact on the surrounding area.

Properties on our street have maintained the S-1 zoning 40' frontline set back. Typical side setbacks no longer conform with the S-1 zoning, however, properties currently enjoy large open space with 19' to 56' between houses.

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Applicant's survey has the neighbor to the north encroaching onto the applicant's property 1.5'. To adhere to required side setbacks the applicant will have to build their fence on top of the neighbor's driveway and into their backyard. If they elect to give this area to their neighbor and move their side set back instead, they would no longer conform to zoning ordinances. This issue needs to be address to determine the actual side setbacks applicant will use to determine if another variance will be required. **Exhibit H.**

Page 4, #4 Site Plan – Proposal

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In every re-zoning case that I have read and/or attended there is a paragraph in the Staff Report that states:

Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements.

North Mountain Village Committee Staff Report dated May 5th 2023 states that the applicant does not meet the lot width for R1-8, however, does not provide this statement and instead indicates that the applicant won't have to comply with zoning ordinances. Per the Staff Report, the applicant's site can be platted as a two-lot subdivision under the Conventional Subdivision Option and the lots would be able to meet all the development standards. From what I have read/researched the lots will still have to conform to applicable city or state regulations. Exempting the applicant from having to comply with zoning ordinances defeats the purpose of zoning which is to protect neighborhoods with standards to prevent negative impacts on their properties. It is discriminating and biased indicating that larger more expensive houses have more rights and privileges than owners of affordable housing.

ARTICLE 1109.2. LOT AREA AND DIMENSION: Any lot, after this Ordinance or amendments thereto become effective, shall not be reduced in any manner below the lot area and dimension requirements of this Ordinance for the zoning district in which it is located, or if a lot is already less than the minimums so required, such lot area or dimension shall not be further reduced.

One of the goals outlined in Phoenix's General Plan: "Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties. "

Page 5, #9 Community Input Summary

The applicant stated at the Village Committee meeting that they had sent out notification letters to the neighborhood. I did not receive a letter, nor in talking with the neighbors on my street did any of them receive a notification letter. Ms. Committee Member Perez who lives within the 600 ft radius and has S-1 zoning, stated at this meeting that she did not receive a letter either. After this meeting I canvased the area with the addresses written down of neighbors who should have received this notification and I could not find anyone who received a letter.

Page 5, Interdepartmental Comments
#11 Water Services Department –
Properties on this street are not connected to the city sewer system and have septic systems, including the applicant's property. A private builder installed a sewer line on our street in 2007. Due to our rolling street the sewer line was placed much higher than the typical required depth. I was told my property could not connect to the sewer line. It is unknown if the applicant can tap into the sewer line and might have to install new septic systems. Due to his high density lot coverage and the square footage needed for septic systems, it might not be possible to install septic systems. This was not addressed in the Water Services letter.

In Summary:

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• Protecting the value and enjoyment of properties by allowing a property its most appropriate land use given its location and surrounding uses.

Decisions to rezone a parcel should be based on logical and sound analysis rather than personalities, preferences, or property owners.

Thank you for your time,

Monta L. Redd
13827 N. 12th Street, Phoenix, AZ 85022
monta@cox.net 602-942-3069 landline

Exhibit A











Exhibit C

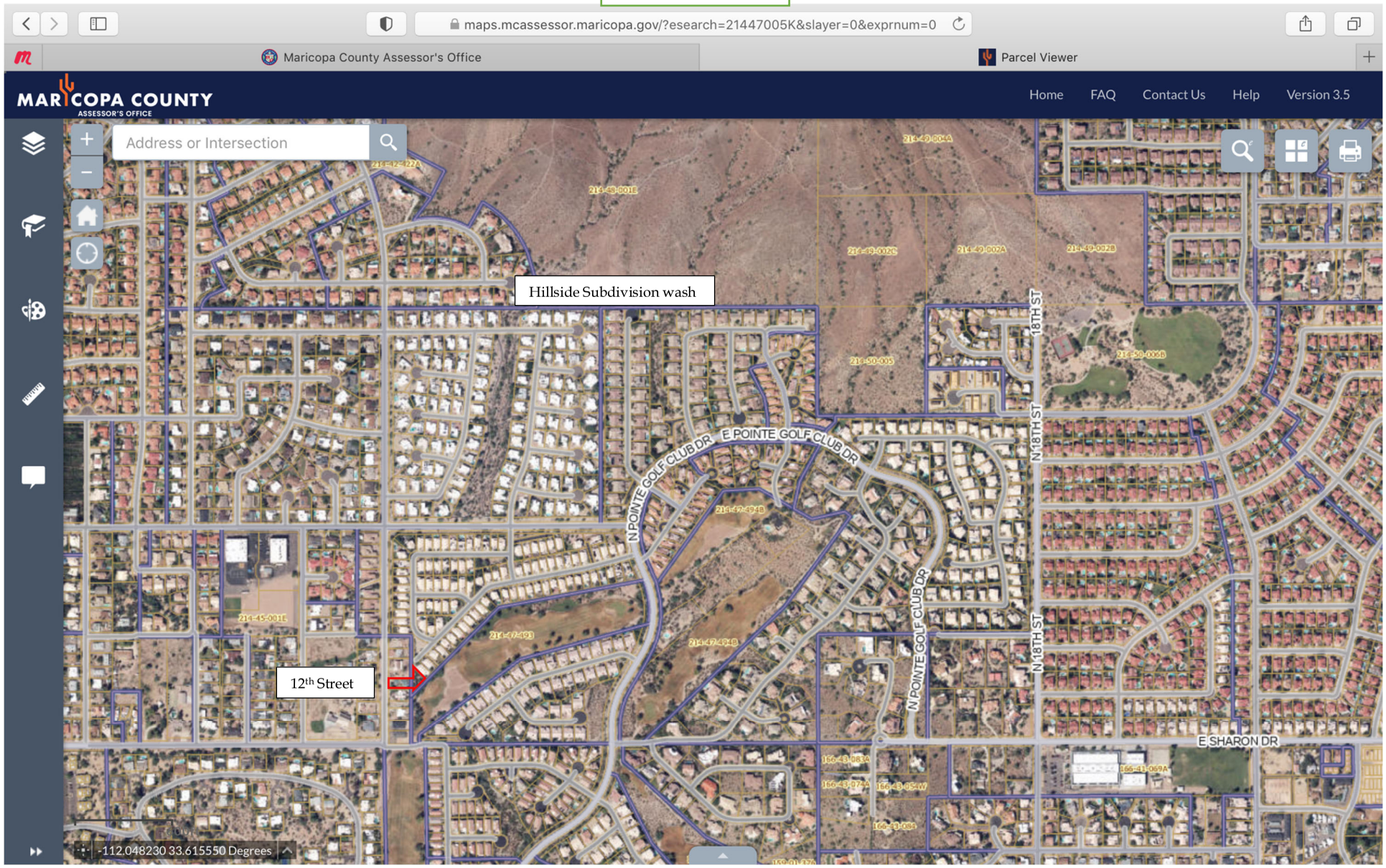

maps.mcassessor.maricopa.gov/?esearch=21447005K&slayer=0&exprnum=0
Maricopa County Assessor's Office
Parcel Viewer
MARICOPA COUNTY
ASSESSOR'S OFFICE
Home
FAQ
Contact Us
Help
Version 3.5
Address or Intersection
Hillside Subdivision wash
12th Street
N POINTE GOLF CLUB DR
E POINTE GOLF CLUB DR
N 18TH ST
E SHARON DR
-112.048230 33.615550 Degrees

Exhibit D



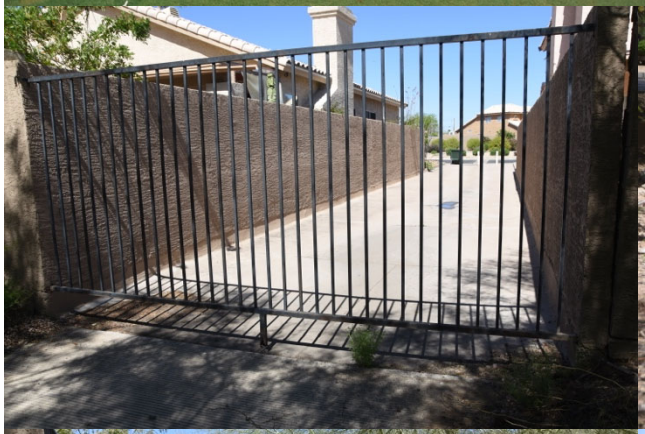







Exhibit E








Exhibit F



Exhibit H



City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 96

Public Hearing and Resolution Adoption - General Plan Amendment GPA-RV-1-22-1 - Northeast Corner of I-17 and Circle Mountain Road (Resolution 22138)

Request to hold a public hearing on a General Plan Amendment for the following item to consider the Planning Commission's recommendation and the related resolution if approved. Request to amend the General Plan Land Use Map designation on 114.58 acres from Residential 3.5 to 5 dwelling units per acre and Commercial to Residential 5 to 10 dwelling units per acre, Residential 10 to 15 dwelling units per acre, Residential 15+ dwelling units per acre, and to remove the Infrastructure Phasing Overlay. This is a companion case to Z-8-22-1 and should be heard first, followed by Z-8-22-1.

Summary

Application: GPA-RV-1-22-1
Current Designation: Residential 3.5 to 5 dwelling units per acre (68.93 acres) and Commercial (45.65 acres)
Proposed Designation: Residential 5 to 10 dwelling units per acre (64.52 acres), Residential 10 to 15 dwelling units per acre (31.07 acres), Residential 15+ dwelling units per acre (18.99 acres), and Remove Infrastructure Phasing Overlay (114.58 acres)
Acreage: 114.58
Proposal: Minor General Plan Amendment to allow single-family and multifamily and an update to the Infrastructure Limit Line

Owner: Circle Mountain Holdings, LLC
Applicant/Representative: Adam Baugh, Withey Morris Baugh, PLC

Staff Recommendation: Approval, as amended to remove the request for modifications to the Infrastructure Phasing Overlay.
VPC Action: The Rio Vista Village Planning Committee heard this case on May 9, 2023, and recommended approval, per the staff recommendation, by a vote of 4-2.
PC Action: The Planning Commission heard this case on June 1, 2023, and recommended approval, per the Rio Vista Village Planning Committee recommendation, by a vote of 8-0.

Location

Northeast corner of I-17 and Circle Mountain Road
Council District: 1
Parcel Addresses: 44301, 44333, 44421, 44825 and 45111 N. Black Canyon Highway; and 3900 W. Circle Mountain Road

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED RESOLUTION

RESOLUTION

A RESOLUTION ADOPTING AN AMENDMENT TO THE 2015 GENERAL PLAN FOR PHOENIX, APPLICATION GPA-RV-1-22-1, CHANGING THE LAND USE CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN.

_____

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

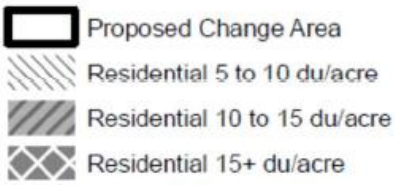
SECTION 1. The 2015 Phoenix General Plan, which was adopted by Resolution 21307, is hereby amended by adopting GPA-RV-1-22-1. The 114.58 acres located at the northeast corner of I-17 and Circle Mountain Road is designated as Residential 5 to 10 dwelling units per acre (64.52 acres), Residential 10 to 15 dwelling units per acre (31.07 acres), and Residential 15+ dwelling units per acre (18.99 acres).

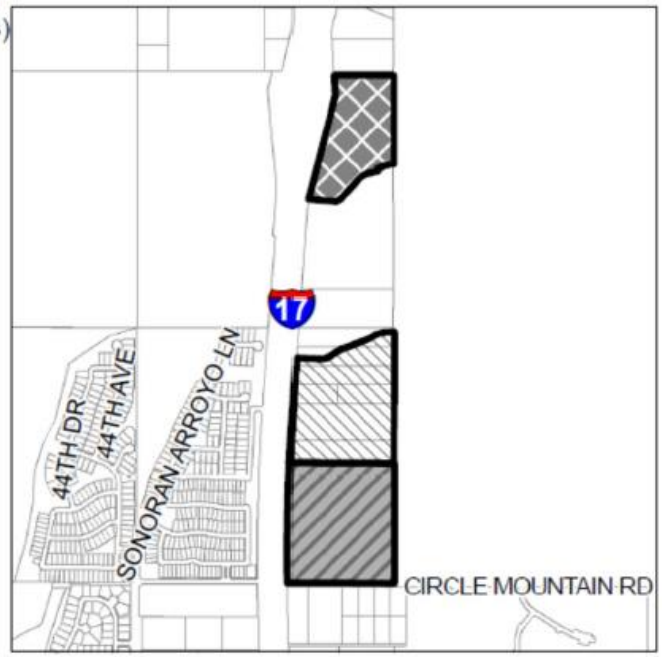
SECTON 2. The Planning and Development Director is instructed to modify the 2015 Phoenix General Plan to reflect this land use classification change as shown below:

DRAFT

PROPOSED CHANGE:

Residential 5 to 10 du / acre (28.49 +/- Acres)
Residential 10 to 15 du / acre (31.07 +/- Acres)
Residential 15+ du / acre (18.37 +/- Acres)





PASSED by the Council of the City of Phoenix this 3rd day of July 2023.

_____
M A Y O R

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie Kriegh, City Attorney

By:_____
_____

DRAFT

REVIEWED BY:

_____
Jeffrey Barton, City Manager

DRAFT

ATTACHMENT B

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

GENERAL PLAN AMENDMENT
STAFF ANALYSIS
May 9, 2023

Application:	GPA-RV-1-22-1
Applicant/Representative:	Adam Baugh, Withey Morris Baugh, PLC
Owner:	Circle Mountain Holdings, LLC
Location:	Northeast corner of I-17 and Circle Mountain Road
Acreage:	114.58 acres
Current Plan Designation:	Residential 3.5 to 5 dwelling units per acre (68.93 acres) Commercial (45.65 acres)
Requested Plan Designation:	Residential 5 to 10 dwelling units per acre (64.52 acres) Residential 10 to 15 dwelling units per acre (31.07 acres) Residential 15+ dwelling units per acre (18.99 acres) Remove Infrastructure Phasing Overlay (114.58 acres)
Reason for Requested Change:	Minor General Plan Amendment to allow single-family and multifamily, and an update to the Infrastructure Limit Line.
Rio Vista Village Planning Committee Meeting Date:	May 9, 2023
Staff Recommendation:	Approval, as amended to remove the request for modifications to the Infrastructure Phasing Overlay

FINDINGS:

1) The subject site is appropriate for residential uses at the proposed densities and provides new housing opportunities in this part of the city.

2) The subject site is appropriate for additional housing as it is strategically located near freeways and undeveloped land.

3) The companion rezoning case, Z-8-22-1, proposes development that is consistent with land uses in the surrounding area.

BACKGROUND

The subject site is 114.58 acres and is located on the northeast corner of I-17 and Circle Mountain Road. The subject site is currently vacant and undeveloped. The companion rezoning case Z-8-22-1 is requesting to rezone the site from RU-43 (County) Pending S-1 (One Acre Per Dwelling Unit, Pending Ranch or Farm Residence), S-1 (Ranch or Farm Residence), C-2 (Intermediate Commercial), and C-3 (General Commercial) to R-2 (Multifamily Residence District), R-3 (Multifamily Residence District), and R-3A (Multifamily Residence District) to allow single-family and multifamily residential. The General Plan Land Use Map on 68.93 acres of the subject site is designated as Residential 3.5 to 5 dwelling units per acre and the remaining 45.65 acres is designated as Commercial. The proposed General Plan Amendment is to designate the site as 64.52 acres of Residential 5 to 10 dwelling units per acre, 31.07 acres of Residential 10 to 15 dwelling units per acre, 18.99 acres of Residential 15+ dwelling units per acre and modify the boundaries of the Infrastructure Phasing Overlay over the entire site.

The North Black Canyon Corridor Plan established the Infrastructure Limit Line and Phasing Overlay to limit dispersed expansion of urban development north of the Central Arizona Project (CAP) and encourage compact growth in the corridor's defined growth area and prohibit surrounding development until a concentrated urban development pattern is established. Part of the General Plan Amendment request was to update the Infrastructure Limit Line on the subject site. After further evaluation, it was discovered that an update to update to the Infrastructure Limit Line and/or modifying the Infrastructure Phasing Overlay is not required since the subject site is beyond the boundary of the Infrastructure Phasing Overlay area and thereby not impacted by the policy. The Rio Vista Village was annexed into the City of Phoenix in 2002, several years after the policy was adopted in 1999. There is a gap in planning efforts related to infrastructure on the subject site, therefore any infrastructure needs would be the sole responsibility of the developer.

SURROUNDING LAND USES

NORTH

North of the subject site is undesignated vacant land within Maricopa County jurisdiction. The Maricopa County General Plan Land Use Map designation is New River Area Plan.

SOUTH

South of the subject site is vacant land located within Marcipa County jurisdiction with an Undesignated Area land use designation and commercial uses within the City of

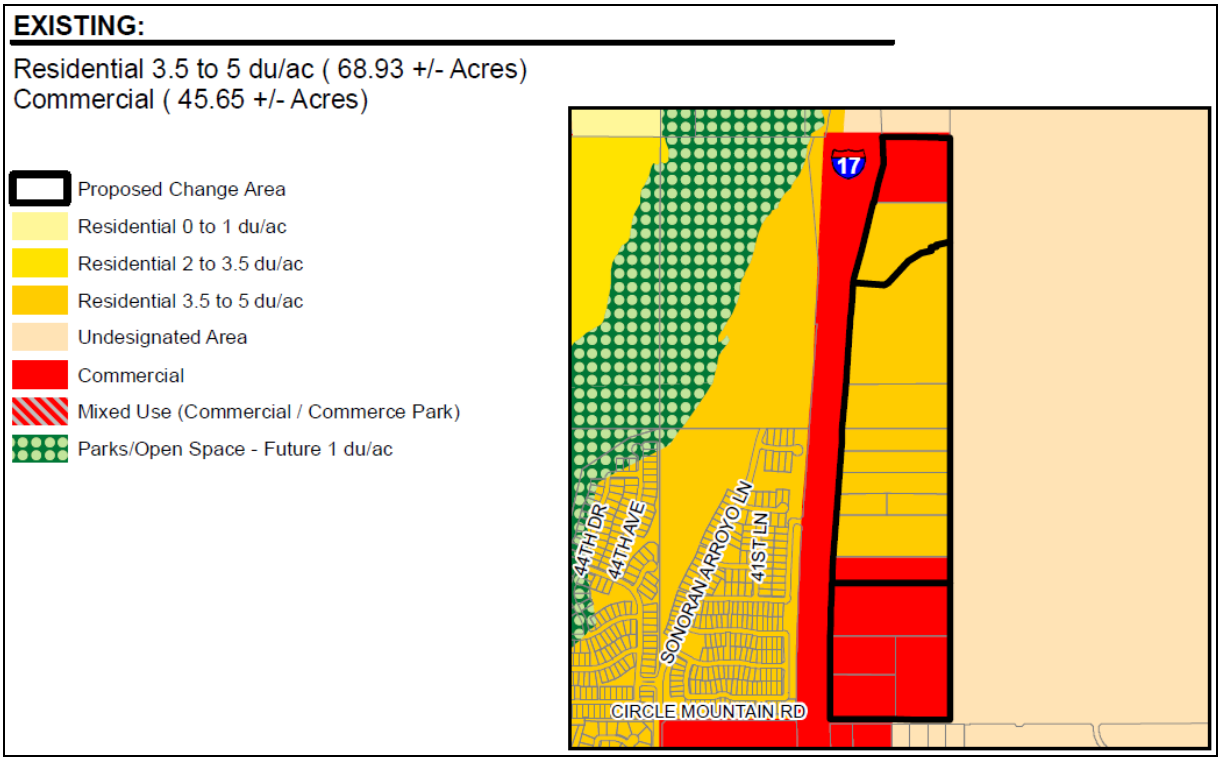
Phoenix jurisdiction designated as Commercial. The Maricopa County General Plan Land Use Map designation is New River Area for the southeast portion.

EAST

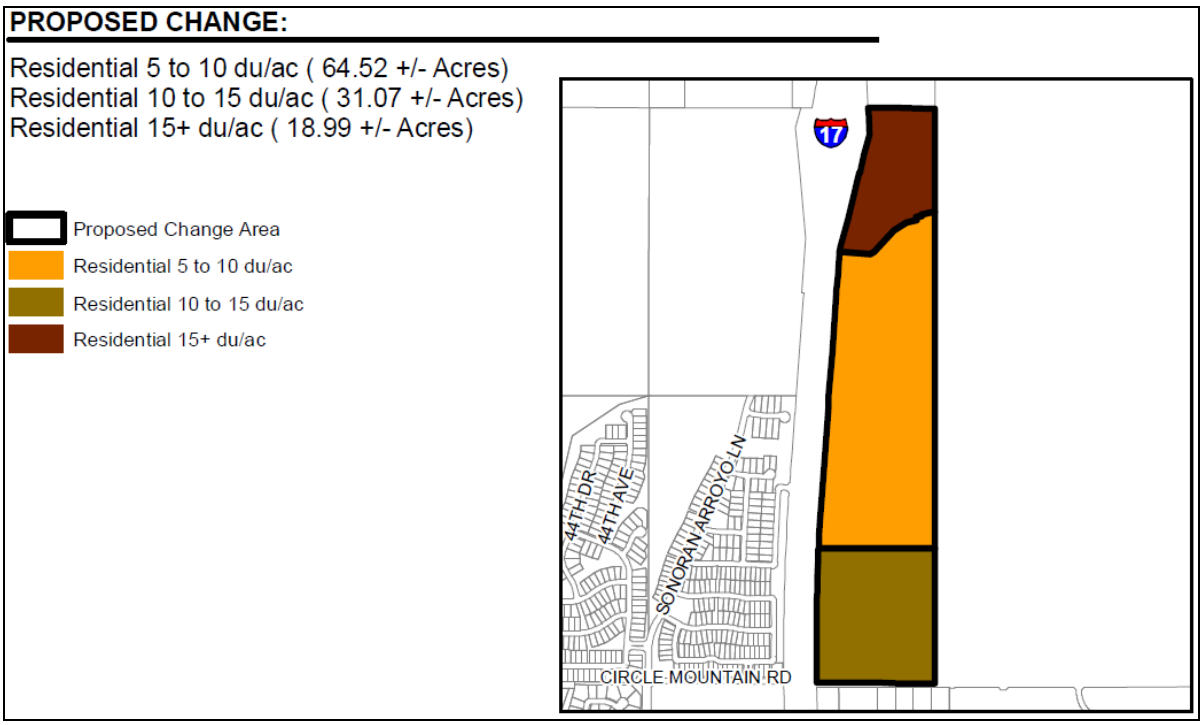
East of the subject site is undesignated vacant land within Maricopa County jurisdiction. The Maricopa County General Plan Land Use Map desgination is New River Area Plan.

WEST

West of the subject site, across the I-17 freeway, is primarily a single-family residential subdivision designated as Residential 3.5 to 5 dwelling units per acre on the General Plan Land Use Map. The freeway is currently designated as Commercial; however, this will be updated in a future General Plan Land Use Map amendment to reflect the transportation use.



Existing General Plan Land Use Map
Source: Planning and Development Department



Proposed General Plan Land Use Map
Source: Planning and Development Department

RELATIONSHIP TO GENERAL PLAN CORE VALUES AND PRINCIPLES

CONNECT PEOPLE AND PLACES

- **OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.**

  The proposal provides a reasonable level of intensity that is respectful to local conditions. The companion rezoning case, Z-8-22-1, includes stipulations for enhanced landscaping, to ensure future development will be compatible with the surrounding area's character.

CELEBRATE OUR DIVERSE COMMUNITIES AND NEIGHBORHOODS

- **DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.**

  The request facilitates additional residential options along the 1-17 Freeway and allows additional housing opportunities in the Village that will help alleviate the housing crisis.

BUILD THE SUSTAINABLE DESERT CITY

- **TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.**

  The proposal, as stipulated in the companion rezoning case Z-8-22-1, will provide enhanced shade and landscape setback standards. The shade trees will help provide a thermally comfortable environment for site users.

CONCLUSION AND RECOMMENDATION

Staff recommends approval of GPA-RV-1-22-1 as filed. The request aligns with the goals and policies of the General Plan and will result in land use designations that will maximize the property's location adjacent to a freeway. Along with the companion rezoning case, Z-8-22-1, the General Plan Amendment will allow a compatible mix of land uses that will provide additional housing in the Rio Vista Village.

Writer
Nayeli Sanchez Luna and Adrian Zambrano
May 9, 2023

Team Leader
Racelle Escolar

Exhibits
Sketch Maps (2 pages)

GENERAL PLAN AMENDMENT

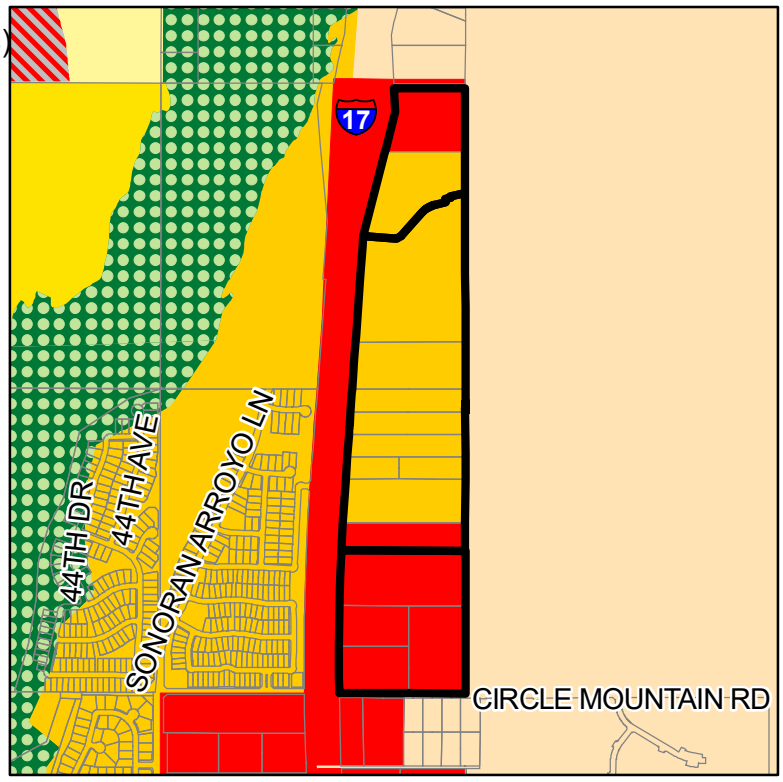
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-RV-1-22-1	ACRES: 114.58 +/-	REVISION DATE:
VILLAGE: Rio Vista	COUNCIL DISTRICT: 1	5/09/2023
APPLICANT: Withey Morris Baugh, PLC, Adam Baugh		

EXISTING:

Residential 3.5 to 5 du/ac (68.93 +/- Acres)
Commercial (45.65 +/- Acres)
Infrastructure Phasing Overlay (114.58 +/- Acres)

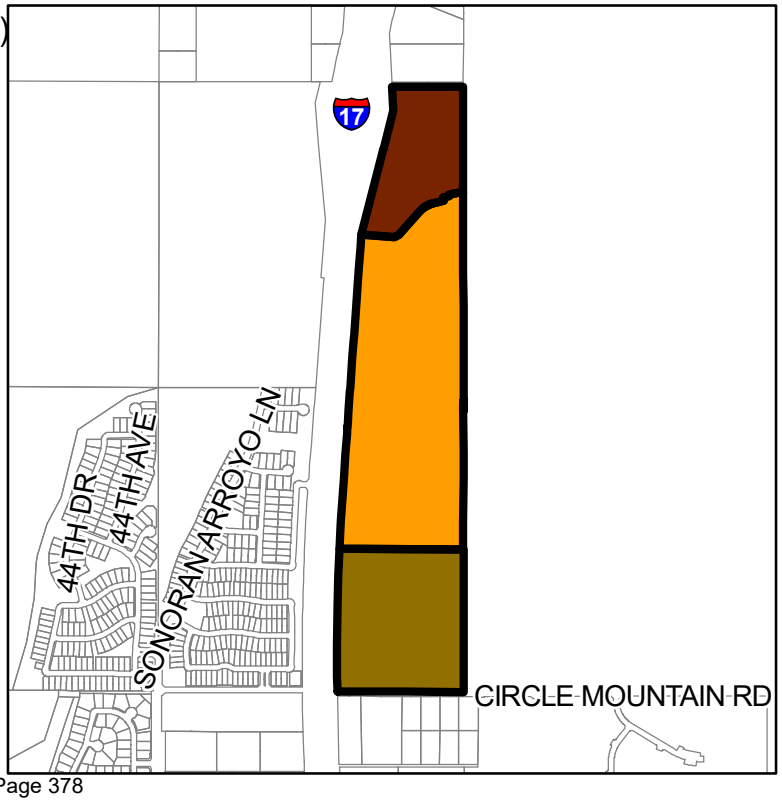
- Proposed Change Area
- Residential 0 to 1 du/ac
- Residential 2 to 3.5 du/ac
- Residential 3.5 to 5 du/ac
- Commercial
- Parks/Open Space - Future 1 du/ac
- Mixed Use (Commercial / Commerce / Business Park)
- Undesignated Area



PROPOSED CHANGE:

Residential 5 to 10 du / acre (64.52 +/- Acres)
Residential 10 to 15 du / acre (31.07 +/- Acres)
Residential 15+ du / acre (18.99 +/- Acres)
Remove Infrastructure Phasing Overlay (114.58 +/- Acres)

- Proposed Change Area
- Residential 5 to 10 du/ac
- Residential 10 to 15 du/ac
- Residential 15+ du/ac



GENERAL PLAN AMENDMENT

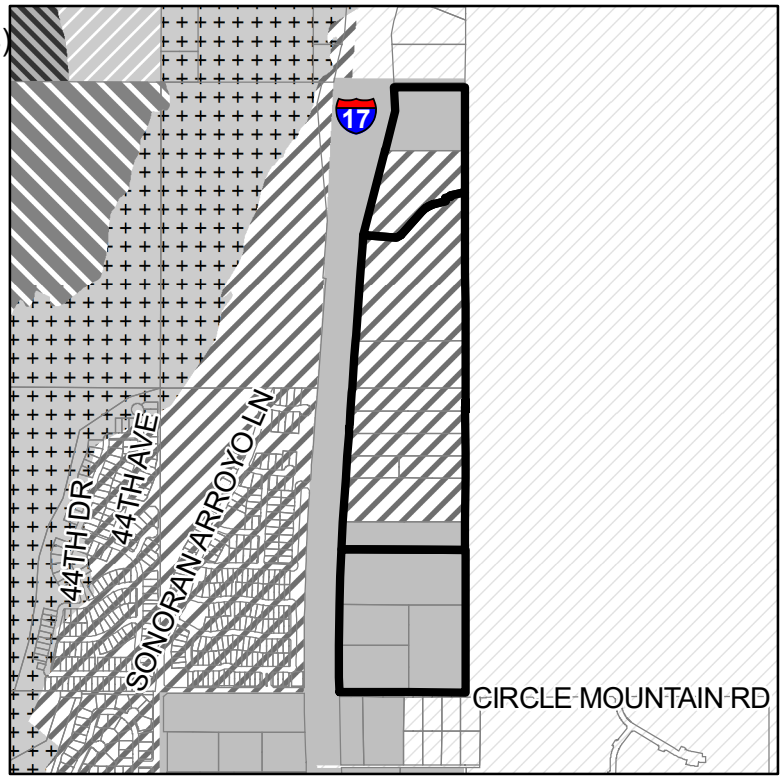
CITY OF PHOENIX ♦ PLANNING & DEVELOPMENT DEPARTMENT ♦ 200 W WASHINGTON ST ♦ PHOENIX, AZ ♦ 85003 ♦ (602) 262-6882

APPLICATION NO: GPA-RV-1-22-1	ACRES: 114.58 +/-	REVISION DATE:
VILLAGE: Rio Vista	COUNCIL DISTRICT: 1	5/09/2023
APPLICANT: Withey Morris Baugh, PLC, Adam Baugh		

EXISTING:

Residential 3.5 to 5 du/ac (68.93 +/- Acres)
Commercial (45.65 +/- Acres)
Infrastructure Phasing Overlay (114.58 +/- Acres)

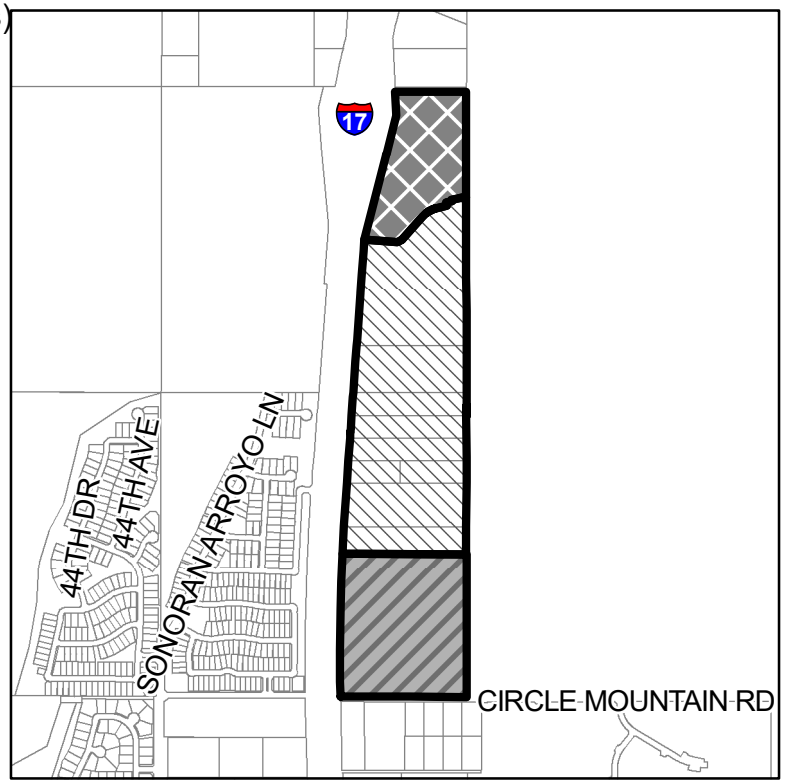
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PROPOSED CHANGE:

Residential 5 to 10 du / acre (64.52 +/- Acres)
Residential 10 to 15 du / acre (31.07 +/- Acres)
Residential 15+ du / acre (18.99 +/- Acres)
Remove Infrastructure Phasing Overlay (114.58 +/- Acres)

- Proposed Change Area
- Residential 5 to 10 du/acre
- Residential 10 to 15 du/acre
- Residential 15+ du/acre



Rio Vista
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary
GPA-RV-1-22-1

Date of VPC Meeting	May 9, 2023
Request From	Residential 3.5 to 5 dwelling units per acre (68.93 acres) and Commercial (45.65 acres)
Request To	Residential 5 to 10 dwelling units per acre (64.52 acres), Residential 10 to 15 dwelling units per acre (31.07 acres), Residential 15+ dwelling units per acre (18.99 acres) and Remove Infrastructure Phasing Overlay (114.58 acres)
Proposal	Minor General Plan Amendment to allow single-family and multifamily, and an update to the infrastructure limit line
Location	Northeast corner of I-17 and Circle Mountain Road
VPC Recommendation	Approval, per the staff recommendation
VPC Vote	4-2

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Cases GPA-RV-1-22-1 and Z-8-22-1 are companion cases and were heard together.

Eight members of the public registered to speak on this item, in opposition.

Staff Presentation:

Adrian Zambrano, staff, provided an overview of the Minor General Plan Amendment request including the location of the request and surrounding General Plan Land Use Map designations. Mr. Zambrano provided background on the Infrastructure Limit Line and Infrastructure Phasing Overlay from the North Black Canyon Corridor Plan, noting that the Rio Vista Village was annexed into the City of Phoenix in 2002, after the policies from the North Black Canyon Corridor Plan were adopted in 1999, and that there is a gap in planning efforts. Mr. Zambrano concluded that due to this gap in planning efforts, there is no policy indicating that the Infrastructure Phasing Overlay is to be expanded into any new annexed property. Mr. Zambrano shared the staff findings and stated that staff recommends approval as amended to remove the request for modifications to the Infrastructure Phasing Overlay. Mr. Zambrano then provided an overview of the companion rezoning request including the location of the request, surrounding zoning and land uses, and the General Plan Land Use Map designations. Mr. Zambrano displayed the site plan and elevations for the proposed project and shared that the proposal has received two letters of opposition, three letters with

concerns, and a petition of opposition with 214 signatures to date and summarized the concerns. Mr. Zambrano shared the staff findings and stated that staff recommends approval subject to stipulations.

Applicant Presentation:

Adam Baugh, representative with Withey Morris Baugh, PLC, introduced himself and provided an overview of the request. Mr. Baugh shared the background of the developer, Bela Flor Communities. Mr. Baugh stated that when the property was first annexed into the City of Phoenix in 2007, the original plan was to build more commercial opportunities. Mr. Baugh shared that there was a development agreement formed to allow commercial development with septic systems, which would normally not be allowed today, and as City management changed, there was no longer a willingness to allow commercial development on septic systems. Mr. Baugh stated that infrastructure has been the property's biggest obstacle. Mr. Baugh shared that the current zoning would allow 1,579 homes, a retail shopping center, or a combination of the two. Mr. Baugh stated that the property owners had a hope that a future off-ramp would be built somewhere between Anthem Way to New River Road, which never occurred. Mr. Baugh stated that at one point there was a plan that the nearest utility provider, EPCOR, would serve the property and be reimbursed by the City of Phoenix, which has since been cancelled. Mr. Baugh stated that residential can be located on the property but comes with an expensive cost of $13 million for utility line extensions, noting that it is very expensive because of needing to go under the freeway three times for a looped water system, as required by the City. Mr. Baugh added that the Taiwan Semiconductor Manufacturing Company (TSMC) development has added hope to the property that did not exist before, noting that it adds a major employer in the area that would support residential development. Mr. Baugh shared that the rezoning request allows the property to be master planned rather than coming in piece by piece under the existing zoning entitlements. Mr. Baugh displayed the previously proposed site plan and shared changes made since it was last presented, noting that there is not a development plan for Phase 3 yet due to topographical limitations, and that they are stipulated to come back to the Rio Vista Village Planning Committee for the future site plan and elevations of Phase 3. Mr. Baugh added that the Rio Vista Village Design Guidelines were also implemented into the design. Mr. Baugh stated that the traffic generated from the proposed residential development would be three times fewer daily trips than the daily trips that would be generated with the current zoning entitlements, noting that traffic from the proposed development would be going the opposite direction along the I-17 frontage road than queuing from the school to the north. Mr. Baugh noted that the I-17 frontage road is being widened from two lanes to three lanes, which will help traffic congestion coming from the I-17 onto the frontage road. Mr. Baugh shared their neighborhood agreement and proposed additional stipulations.

Questions from the Committee:

Mr. Sommacampagna asked why Phase 3 is recommended to go through the Planning Hearing Officer (PHO) public hearing process instead of through the rezoning process.

Mr. Baugh responded that the PHO process is the process that it would be heard by the Village Planning Committee.

Mr. Scharboneau asked why the request to be removed from the Infrastructure Phasing Overlay is recommended to be removed. **Mr. Zambrano** responded that after further review, staff determined removal of the Infrastructure Phasing Overlay was not required since the subject site is not located within the Infrastructure Phasing Overlay.

Mr. Scharboneau asked why the requested General Plan Land Use Map designations are higher density when the existing General Plan Land Use Map designations contemplated Commercial and Residential 3.5 to 5 dwelling units per acre, which seems to be more compatible with the surrounding area. **Mr. Baugh** responded that the General Plan is a policy document and zoning is regulatory. Mr. Baugh explained that the existing zoning is commercial, which allows multifamily residential development by-right. Mr. Baugh stated that the existing General Plan Land Use Map designations do not reflect what the current zoning is. Mr. Baugh stated that their request is mirroring uses and intensity that is already allowed with the existing zoning, which allows a density up to 15 dwelling units per acre. **Mr. Scharboneau** asked if the applicant agreed that the intent was for the commercial zoning to match with the General Plan Land Use Map designation for the intent of commercial uses and where designated as residential on the General Plan Land Use Map designation, that residential uses would be located in those areas with a density range of 3.5 to 5 dwelling units per acre. **Mr. Baugh** responded that he does not agree, adding that he has seen a lot of inconsistencies throughout the City of Phoenix General Plan Land Use Map and has been asked before to amend the General Plan Land Use Map to reflect the existing zoning.

Mr. Virgil asked about where traffic would go, adding that the proposal is for a lot of density that would create a lot of traffic. **Mr. Baugh** responded that traffic from commercial development on the property would either have to go north or south along the I-17 frontage road, similar to the proposed residential development. Mr. Baugh added that the density would be significantly less than what the property is currently entitled to, and that denial of their request would not change the fact that more than 1,500 units could be built using the existing zoning entitlements. Mr. Baugh stated that with the number of recommended stipulations, it would be a very regulated project that would result in a better product than it would under the existing entitlements. **Mr. Virgil** asked if the property was purchased already. **Mr. Baugh** responded affirmatively.

Jeff Riederer asked about notification to nearby residents and citizen participation. **Mr. Baugh** responded that they followed City of Phoenix notification and sign posting requirements, and that they were working with a neighbor to the north that has helped communicate everything to other neighbors. **Mr. Riederer** asked about the outcome of citizen participation. **Mr. Baugh** responded that the concerns were mostly addressed through the additional stipulations proposed in the neighborhood agreement. Mr. Baugh reiterated that the proposal is about 400 units less than what is allowed to be built under the existing zoning.

Mr. Sommacampagna stated that he appreciates that the applicant took the time to look through and implement the Rio Vista Village Design Guidelines. Mr. Sommacampagna stated that in the residential standards, it recommends different materials and finishes, avoiding a box look, and having desert tone colors. Mr. Sommacampagna stated that he does not believe white Santa Barbara style architecture goes well with the desert tone theme. Mr. Sommacampagna stated that he does like the building elevations for Phase 2. **Mr. Baugh** responded that it would not be a problem for them to adjust the colors or materials.

Mr. Scharboneau asked about the Red Border Letter process. **Dawn Cartier**, Principal Traffic Engineer with CivTech Inc., responded that the Red Border Letter is a standard process that the Arizona Department of Transportation (ADOT) put in place years ago. Ms. Cartier stated that anytime a project is within a half mile of an ADOT facility, a Red Border Letter has to be submitted that tells ADOT what the project is about, and ADOT reviews it and comments on what they want to see. Ms. Cartier clarified that they have already sent ADOT the Traffic Impact Analysis (TIA). **Mr. Scharboneau** asked what ADOT wants to see. **Ms. Cartier** responded that the TIA is the most ADOT would ever want to see, and sometimes they just want to see the traffic at an interchange so ADOT can make adjustments or work with the City so that stipulations can be added related to necessary improvements.

Chair Lawrence asked if there were any traffic studies at the intersection of the I-17 and Anthem Way or at the intersection of the I-17 and New River Road. Ms. Cartier responded that they did evaluate both intersections in the traffic study and have been working with the City to address comments on the traffic study.

Mr. Virgil asked about the size of the build-to-rent units and how much the monthly rent would be. **Hudd Hassell**, representative with Bela Flor Communities, responded that they would be around 900 to 1700 square feet in size. Mr. Hassell stated that the monthly rent would be at the market rate and would depend on the market at the time.

Mr. Virgil asked about the water line location. **Mr. Baugh** responded that it is located on the west side of the I-17 freeway, three miles to the south through the other neighborhoods. Mr. Baugh stated that they would have to take out their water lines, expand them, put in new water lines, and then bring them up to the north on the west side of the freeway, and then cross under the freeway to reach the subject property.

Mr. Virgil stated that the water line that they would be adjusting is pretty new. **Mr. Baugh** stated that it is undersized because a loop system with a certain pressure capacity for fire safety is required. **Mr. Virgil** stated that something similar had to occur for a project on Pioneer Road and asked if they could connect to the water line there. **Mr. Hassell** stated that their looping system would start at Circle Mountain Road and would go to the north so they could have that looping system.

Mr. Sommacampagna asked if anyone could tap into the extended water and wastewater infrastructure. **Mr. Hassell** responded that the City requires that the infrastructure be provided all along the east side of the I-17. **Mr. Baugh** stated that it

would be a good opportunity for the residents currently in the County jurisdiction to be annexed into the City of Phoenix jurisdiction and receive City water and sewer services and that they would have that opportunity in the future. **Mr. Hassell** added that one of the proposed additional stipulations is to cap their wells, so they do not use any water in the area and do not draw down the water table.

Mr. Holton recommended the residential development be a senior living community.

Public Comments and Applicant Response to Public Comments:

Josh Weidman asked if Phase 3 would be higher density. **Mr. Baugh** responded affirmatively.

Harmony Brown introduced herself as a neighbor opposed to the project. Ms. Brown asked where the Traffic Impact Analysis is located for public viewing and if it was done after the school was built. Ms. Brown stated she has many pictures to show the traffic congestion. Ms. Brown stated that they only have one way to access their homes and have no back road access. Ms. Brown stated that the proposal would cause safety issues and mass traffic congestion. Ms. Brown stated that traffic on the I-17 frontage road is backed up very often. Ms. Brown stated that the existing zoning from 2007 is not updated and does not reflect current traffic flow. Ms. Brown was concerned about the density. Ms. Brown stated there is no room for expansion of the I-17 frontage road. Ms. Brown stated that there are many acres of land to build on near the TSMC project, and suggested the developer build the proposed development closer to TSMC. Ms. Brown stated that a new on- and off-ramp to the freeway between Anthem Way and New River Road would solve the traffic congestion issue.

Tammy Hughes introduced herself as a neighbor from Arroyo Norte in opposition. Ms. Hughes echoed Ms. Brown. Ms. Hughes asked what the master plan is for the traffic. Ms. Hughes stated that there was a transformer that caught on fire two years ago that enflamed the whole desert by Ms. Brown's house and a horse property. Ms. Hughes stated that there is no fire hydrant around the recreational vehicle dealership and that there are no fire walls around the dealership to keep fire from going into the desert. Ms. Hughes asked what the master plan for fire is.

John Dixon introduced himself as a neighbor of 22 years to the north on an abandoned powerline road near the surface mine, in opposition. Mr. Dixon echoed Ms. Brown. Mr. Dixon stated that there were times when he could not get home for over an hour because of the traffic congestion on the freeway and on the frontage road. Mr. Dixon asked what was going to be done with the frontage road north of the subject site. Mr. Dixon stated that the City, County and State do not want anything to do with the frontage road to the north. Mr. Dixon stated that the road never gets patrolled or monitored. Mr. Dixon stated that there are many cars that speed down the road, bicyclists using the frontage road from Anthem Way to New River Road that hold up traffic, and cars that cross the double yellow line in a no passing zone with oncoming traffic. Mr. Dixon stated that the deputy police officer of the district had told him that they do not have the resources to monitor the road. Mr. Dixon stated that only portions of the

frontage road are within City of Phoenix jurisdiction. Mr. Dixon stated that nothing will be done about the frontage road until there is a fatality.

Mr. Scharboneau asked if the City of Phoenix has the jurisdiction to do anything with the frontage road. **Mr. Baugh** responded that the frontage roads are governed by the Maricopa County Department of Transportation (MCDOT). Mr. Baugh stated that based on their traffic study, they will have an obligation to widen the frontage road. Mr. Baugh stated that the traffic congestion is occurring because property adjacent to the frontage road has not developed so the infrastructure has not been put in yet. Mr. Baugh stated that the frontage road will be widened as part of the project.

Mr. Virgil asked what the size of the water line is. **Mr. Hassell** responded that the anticipated size is a 12-inch line, which could be as high as a 16-inch line from the tanks to get the right pressure to serve.

Eileen Baden introduced herself as a neighbor from New River with concerns. Ms. Baden stated that she has a master's degree in urban and environmental planning. Ms. Baden requested the project be delayed to the next meeting so more information can be shared. Ms. Baden stated that is has been hard for her to get information on the project. Ms. Baden stated that the frontage road is a regional transportation connection between New River and Anthem. Ms. Baden stated that the frontage road was too narrow and too dangerous for bicyclists. Ms. Baden shared that she had requested perimeter paths to be included in the project for enhanced connectivity and safe pathways. Ms. Baden believed that rural communities deserve active transportation options as well. Ms. Baden stated that biking is the first top activity for kids nationwide and the third top activity for adults after walking and hiking. Ms. Baden stated that good infrastructure for biking needs to be provided since it is one of the top outdoor activities in the nation. Ms. Baden stated that 34% of Maricopa County is obese or overweight according to the Maricopa Association of Governments (MAG) Active Transportation Plan, emphasizing the need to create safe outdoor activity opportunities in communities. Ms. Baden stated that she would like to use Jenny Lin Road to access hiking trails to Daisy Mountain and requested it not be gated. Ms. Baden was concerned with the noise walls because of the area being located in a scenic corridor. Ms. Baden emphasized important pathway connections due to potential development to the east. Ms. Baden echoed concerns with the I-17 frontage road. Ms. Baden was concerned with wildfires from the north coming south and fire evacuation plans. Ms. Baden emphasized that this is a regional connection and requested more public outreach be done by the applicant and to include the New River community. Ms. Baden commented that dark skies need to be protected, noting that she heard that the Desert Hills community lost their dark skies when Anthem was built. Ms. Baden stated that the area is in a scenic corridor according to the Maricopa County Daisy Mountain/New River Area Plan, emphasizing protection of scenic views. Ms. Baden stated that a trailhead parking area is needed for Daisy Mountain. Ms. Baden was concerned with the transition of density and suggested density be lower to the north and higher to the south. Ms. Baden suggested more community outreach be done.

Brandon Hill introduced himself as a neighbor in opposition. Mr. Hill stated that the proposal would bring new traffic to the area and traffic from commercial development would mostly be from people already living in the area. Mr. Hill stated that frontage road is already overpopulated, and that New River Road is faster to get to Carefree Highway than the I-17. Mr. Hill commented that there are many other residential developments in the area that are already being built and stated that those developments are not being accounted for. Mr. Hill stated that the I-17 and the Loop 101 freeways are a huge traffic jam all the time. Mr. Hill stated each proposed dwelling until will have at least two cars because they are necessary to get to places, emphasizing the added traffic.

Angela Faber asked which fire department would serve the proposed development. **Mr. Hassell** responded that it would be served by the City of Phoenix since the property was annexed into the City. **Ms. Faber** asked where the nearest City of Phoenix fire station is located. **Mr. Baugh** responded that there is an agreement between all fire departments that whoever is closer will respond to the fire or medical emergency, noting that it works that way across all jurisdictions. Mr. Baugh stated that they will have to pay impact fees for water, sewer, as well as for public safety, for every one of their dwelling units, clarifying that those impact fees go towards the expansion and build out of new police and fire stations. **Ms. Faber** asked where the closest fire station is. **Mr. Baugh** responded that it would be built out per the impact fees. **Ms. Faber** asked where and when it would be built out. **Mr. Hassell** responded it would be built out whenever the City of Phoenix decides to build it. **Ms. Faber** responded that it has been said that a new fire station would be built out since the other side of Anthem has been built on the other side of the freeway. Ms. Faber stated that the proposed development will be utilizing the Daisy Mountain Fire Department. Ms. Faber asked if impact fees would be paid to the Daisy Mountain Fire Department. **Mr. Baugh** responded that they pay impact fees to the City of Phoenix, not Daisy Mountain Fire Department, and the City of Phoenix determines how and when they want to spend the impact fees, where the facilities should be located, and how the facilities would benefit their residents and the surrounding area that could be outside of the City of Phoenix jurisdiction. Mr. Baugh clarified that the agreement between the fire departments is beyond the scope of the Village Planning Committee. **Ms. Faber** responded that a new fire station still has not been built after approval of many different projects. Ms. Faber stated that the fire department does not currently have funds to build a new fire station. **Mr. Baugh** responded that they would have a requirement to install fire infrastructure all throughout the area, such as fire hydrants and testing pressure. Mr. Baugh stated that fire departments will be able to tap into those fire hydrants on their property boundary to fight a nearby fire.

An unknown audience member stated concerns with fire evacuation. **Mr. Baugh** responded that the existing road is not what it will look like when the project is built.

Ms. Cartier stated that ADOT has an evacuation plan and that they must have one for the area. Ms. Cartier stated that when the road is widened, it will have a bike lane and an extra 12 feet of pavement heading to the north or to the south. Ms. Cartier stated that ADOT, under their emergency management plan, can bring in police officers and can take all the vehicles out of a single direction.

Mr. Baugh stated that in addition to the widening of the frontage road and bike lane, there will be a 10-foot-wide multi-use trail along the west side of the property within a 30-foot-wide multi-use trail easement. Mr. Baugh stated that the project is providing the very infrastructure that is lacking.

Cyndi Tendick echoed Ms. Faber.

Chair Lawrence asked how many units are permitted with the existing zoning. **Mr. Baugh** responded 1,579 units. **Chair Lawrence** asked how many units are being proposed. **Mr. Baugh** responded around 1,000 units.

Discussion:

Mr. Sommacampagna stated that he thinks this is one of the best options they have given the by-right zoning. Mr. Sommacampagna stated that seeing a project with over 44 stipulations and a neighborhood agreement that is signed is a good sign and that he does not often seen developers going above and beyond.

Mr. Scharboneau stated that the Committee makes recommendations to the Planning Commission and that staff has recommended approval. Mr. Scharboneau suggested that everyone that showed up to the meeting should show up to the Planning Commission meeting. Mr. Scharboneau stated that concerns about widening the frontage road should be aimed at MCDOT.

Mr. Virgil stated that developers are usually the ones that put in all the infrastructure for new development.

Mr. Riederer stated that feels for the residents and understands their concerns with traffic. Mr. Riederer stated that the concerns need to be taken to the next level to the other public hearings.

MOTION – GPA-RV-1-22-1:

Mr. Scharboneau motioned to recommend denial of GPA-RV-1-22-1. **Mr. Virgil** seconded the motion.

VOTE – GPA-RV-1-22-1:

2-4; motion to recommend denial of GPA-RV-1-22-1 fails with Committee members Scharboneau and Virgil in favor and Committee members Holton, Riederer, Sommacampagna and Lawrence opposed.

MOTION – GPA-RV-1-22-1:

Mr. Holton motioned to recommend approval of GPA-RV-1-22-1 per the staff recommendation. **Mr. Sommacampagna** second the motion.

VOTE – GPA-RV-1-22-1:

4-2; motion to recommend approval of GPA-RV-1-22-1 per the staff recommendation passes with Committee members Holton, Riederer, Sommacampagna and Lawrence in favor and Committee members Scharboneau and Virgil opposed.

MOTION – Z-8-22-1:

Mr. Holton motioned to recommend denial of Z-8-22-1. No one seconded the motion, so the motion failed.

MOTION – Z-8-22-1:

Mr. Sommacampagna motioned to recommend approval of Z-8-22-1 per the staff recommendation, with additional stipulations as proposed by the applicant. **Mr. Riederer** seconded the motion.

VOTE – Z-8-22-1:

5-1; motion to recommend approval of Z-8-22-1 per the staff recommendation, with additional stipulations, passes with Committee members Riederer, Scharboneau, Sommacampagna, Virgil and Lawrence in favor and Committee member Holton opposed.

STAFF COMMENTS REGARDING VPC RECOMMENDAITON:

Staff recommended to remove the request for removal of the Infrastructure Phasing Overlay since the site is not located in the Infrastructure Phasing Overlay area per the map from the North Black Canyon Corridor Plan.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION
June 1, 2023

ITEM NO: 7	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	GPA-RV-1-22-1 (Companion Case Z-8-22-1)
Request:	Map Amendment
Location:	Northeast corner of I-17 and Circle Mountain Road
From:	Residential 3.5 to 5 dwelling units per acre and Commercial
To:	Residential 5 to 10 dwelling units per acre Residential 10 to 15 dwelling units per acre Residential 15+ dwelling units per acre Remove Infrastructure Phasing Overlay
Acreage:	114.58
Proposal:	Minor General Plan Amendment to allow single-family and multifamily, and an update to the infrastructure limit line.
Applicant:	Adam Baugh, Withey Morris Baugh, PLC
Owner:	Circle Mountain Holdings, LLC
Representative:	Adam Baugh, Withey Morris Baugh, PLC

ACTIONS:

Staff Recommendation: Approval, as amended to remove the request for modifications to the Infrastructure Phasing Overlay.

Village Planning Committee (VPC) Recommendation:
Rio Vista 5/9/2023 Approval, per staff recommendation. Vote: 4-2.

Planning Commission Recommendation: Approval, per the Rio Vista Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve GPA-RV-1-22-1, per the Rio Vista Village Planning Committee recommendation.

Maker: Busching
Second: Simon
Vote: 8-0
Absent: Howard
Opposition Present: Yes

Findings:

1. The subject site is appropriate for residential uses at the proposed densities and provides new housing opportunities in this part of the city.

2. The subject site is appropriate for additional housing as it is strategically located near freeways and undeveloped land.

3. The companion rezoning case, Z-8-22-1, proposes development that is consistent with land uses in the surrounding area.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.

CITY OF PHOENIX

MAY 9 2023

Planning & Development Department

Phoenix City Councilmembers
Phoenix City Hall
200 W. Washington Street
Phoenix, AZ 85003

Re: Anthem 114 Development - GPA Case No: GPA-RV-1-22-1, Case No: 2-8-22-1

April 24, 2023

Dear City of Phoenix Councilmembers and Rio Vista Village Planning Committee:

I am sending this letter in regard to the housing development project along the I-17 frontage road between Anthem and New River (identified in the November 16th formal city council meeting as #45 for the Proposed I-17 and Jenny Lin Road Annexation Public Hearing with Case No: 2-8-22-1). Although this project may be viewed on the outskirts, in reality it is a regional transportation and recreation connection between the communities of New River and Anthem.

1. **A perimeter pathway around the project site is necessary to ensure connectivity between New River and Anthem, as well as to ensure public access to Daisy Mountain is protected.** The New River/Desert Hills Area Plan shows future trail connections planned from this area east into Daisy Mountain. The Friends of Daisy Mountain Trails also have a planned trail connection into Tonto National Forest.

   All communities deserve active transportation options including rural communities. Anthem is a high kid-density area and safe pathways for bicycle and pedestrian travel are necessary. Biking is in the top 3 for adult outdoor recreation activities nationwide and it is the #1 outdoor activity for kids under 15 nationwide. The pathway is needed to support active transportation and recreation opportunities and provide a safe environment.

   Approximately 64% of Maricopa County is obese or overweight according to the 2020 Maricopa Association of Governments Active Transportation Plan. In addition, mental health effects are becoming more prevalent among youth as discussed in the 2021 U.S. Surgeon Generals Advisory on Youth Mental Health. The pathway would help to provide a safe place for people to exercise as well as provide a connection to Daisy Mountain where hiking, picnicking, and escaping to the natural environment is possible. In addition to physical benefits, there are mental health benefits associated with spending time in nature as well.

   It is essential when creating a built environment that the design includes safe places for those interested in active transportation and recreation to participate. There have been many fatalities due to excluding active transportation options. We believe the addition on a perimeter path for this project would help provide for a safer regional transportation and recreation connection.

In addition, with increased active transportation options there would be economic benefits to both the New River businesses to the north and Anthem businesses to the south due to the increased and existing populations. As a portion of the site is changing from commercial to residential, it makes sense to provide current businesses in the area with another way for people to reach them.

A perimeter pathway is necessary to ensure active transportation options for residents of the area and to protect a regional connection, as well as public access to Daisy Mountain. Rural communities deserve active transportation options too.

2. **Bike lanes should be added to the frontage road.**

As e-bikes increase in popularity and create the opportunity for people to travel much further we need to have the infrastructure in place to be able to best accommodate them and provide a safe environment for all roadway users. Some bicyclists prefer to be on the road and travel at high speeds (even without a motor) and bike lanes could support the infrastructure for them as well as e-bike users.

3. **Road lanes need to be reviewed for an emergency during a wildlife or other event.**

Another concern is if a wildfire occurred to the north, people in New River would use the I-17 and frontage road along this project site to go south. Due to the increased population, as well as to ensure egress during an emergency, the frontage road may need to be widened or lanes added. One consideration is developing the pathway to standards that would allow emergency vehicles to use them and bypass traffic in case of an emergency.

4. **Protect dark skies.**

Another concern is the impact of light pollution on the dark skies in the New River area. We request the project as well as others in the area use certain design features to reduce light impacts onto neighboring communities. With just one social media post, twenty-one community members have signed up to protect dark skies in New River.

5. **Protect scenic views.**

The project area is in a Scenic Corridor, so views of Daisy Mountain and Gavilan Peak in particular should be protected. The I-17 Scenic Corridor Overlay was adopted in 1999 and the Scenic Corridor extends from Carefree Highway north to Yavapai County. The designation was established to preserve environmentally sensitive land areas and view corridors, and encourage innovative and sensitive planning and quality design.

The Maricopa County New River/Desert Hills Area Plan should be referenced to ensure that any protections this site was granted being in Maricopa County still apply (such as the scenic corridor). Even if the Maricopa County parcel is not annexed, we ask that the City of Phoenix still review and accommodate the intended goals of the New River/Desert Hills Area Plan as this site is adjacent to county land.

In particular, protection of the viewshed including Daisy Mountain and Gavilan Peak is essential. One concern with the annexation of the Maricopa County area is that the protection of these viewsheds may not occur.

6. **Protect public access to lands accessible to the public and develop a trailhead parking area to help provide adequate and safe access to Daisy Mountain.**

   The additional of a perimeter path would help to provide access to Daisy Mountain as well as thousands of acres of Arizona State Land (where a low-cost permit can be obtained) and eventually to Tonto National Forest. The pathway would also help provide access to the Maricopa Trail, a 315-mile loop that would provide access to the entire Phoenix metropolitan area. This connection is especially critical for those in west New River who would be essentially cut off without this connection.

   The trailhead parking area is important as the development will being in many new residents and expose more people to Daisy Mountain. The City of Phoenix has seen challenges with inadequate parking and public access for the mountain preserves. The trailhead parking area would help to ensure adequate parking is available for the community.

7. **Transition of density from higher density near the Anthem area to lower density near New River.**

   One concern heard from residents in New River is the stark contrast that could exist if development is high density as it approaches New River. We ask you to consider a transition of density as residents in the area have expressed this concern.

8. **Maintain the existing commercial portion of the property instead of have only residential homes.**

   With more people moving into the area, it will create more use on existing shopping and retail areas, so the commercial portion of the project should remain as such to provide adequate commercial services to people in the area.

9. **Do not allow a portion of the site to be for the construction of single-family homes in rent for perpetuity.**

Homes should be available for sale to the general public, not available for rent. It makes sense in apartment complexes where there may be more communal aspects of the development such as sharing building and maintenance expenses associated with the building structure. The single family homes should be available for purchase or we are going to continue to see a lack of affordable housing in the area.

One of the main concerns is that if a pathway is not developed with this project along the frontage road, it will never happen and that regional transportation and recreation connection would be lost. Although New River may seem outside of town, there have been people living here since the late 1800's and the area is continuing to grow. There has been a 16 percent increase in population from 2010 to 2020 and the area is expected to grow even more with the addition of the new TSMC factory in the North Valley.

I ask that you listen to these concerns and incorporate these suggestions for the project as it moves forward in the development process.

As part of the annexation of Maricopa County we ask that all Maricopa County Plans are reviewed and incorporated in the project design, that design features reduce light and visual impacts, and that the project supports active transportation by providing regional connectivity with the addition of a perimeter path.

Please do not hesitate to contact me with any questions or concerns. I am also be available to meeting in-person to discuss these concerns.

Please do not block alleys to Jenny Lin Road. This is how I access Daisy Mountain.

Thank you,

Eileen Baden, AICP

Eileen Baden, AICP

eileenbaden@gmail.com

908-797-9727

Past President, Arizona Association of Environmental Professionals

Advisory Board Member, School of Geographical Sciences and Urban Planning at ASU

Board Member, Friends of Daisy Mountain Trails

Additional Signatories

Sue Daul

Kathleen Biernot

Christine Burk

Racelle Escolar

From: H B <hwb524@hotmail.com>
Sent: Thursday, June 1, 2023 9:08 PM
To: Racelle Escolar; Victoria C Murrillo; gabriel.jaramillo@phoenix.gov; marcia.busching@phoenix.gov; Tricia Gomes; steve.gaynor@phoenix.gov
Subject: Meeting GPA-RV-1-22-1 - I requested to speak and was not allowed to!

Hello,

I requested to speak and was not allowed to. You need to fix your system and allow everyone online who wants to speak, speak.

I completely agreed with James.

I'm very frustrated with this and very passionate - so I have a lot to say.

My questions are for the Phoenix Planning and Development Department ...
We did not get proper communication that the school would be going in. Believe me - multiple neighbors would have told you that is a bad idea.
Last year, we had a Great Hearts school built less than a mile from this prooposed development and the traffic is a mess.
Your job is to "plan and develop". That means you work with all necessary entities to plan accordingly. I feel the planning and development department dropped the ball and didn't plan properly for the school and now it's happening again. As James said - There are 3 other proposed builds. That's a lot of new builds off one road in less than a 1 mile radius.
Why have you not included ADOT and MCDOT in all these meetings? Why are you not working closely with them to "plan" accordingly?

Can you tell me where, in Arizona, that there is a Frontage Road (with no other street access - back streets, side streets, etc), that has a high traffic school, multiple home sites, already flowing traffic, AND a "Master Planned Community"??? You can't! Because it's impractical and unsafe!
All the neighborhoods that live off the Frontage Road, as well as all the school children/parents - have ONE STREET to enter and exit.
Phoenix Frontage Roads at least have other streets that they can detour and drive through if the Frontage Road is full. WE DON'T HAVE THAT!!
I know you all don't care because you either don't know the area, don't live in the area, or won't be impacted. But this WILL CAUSE SAFETY HAZARDS and MASS CONGESTION!!
I take pictures EVERYTIME the Frontage Road is backed up. It's backed up quite often.
An average household has 2 cars. The projections of 1579 units will lead to an additional 3158+ Cars on the Frontage Road. This is absurd and again UNSAFE! You will be causing traffic congestion. Zoning from 2007 is not updated to current traffic flow. Why have you not rezoned since 2007?? Zoning should be updated first.
The fact that phase 3 and 4 are unknown worries and frustrates me even more.
I don't understand why you're insistant on unnecessarily cramming too many homes in one area. There is NO reason they can't build 1/2 acre to 1 acre lots there (similar to New River homes).
I'm not trying to be unreasonable and say don't build. But DO NOT put a massive amount of homes off a single Frontage Road. We've had accidents, fires, and emergencies in the past which have caused the Frontage Road to close for hours

(leaving all residents unable to go to their homes).
Once these projected homes are built, you can't just tear them down if you find that you screwed up. If you build these and the Frontage Road is bumper to bumper (unsafe traffic congestion), then what???? You all just turn your head and say oh - at least we made money - too bad for those neighbors. It will never go back, it will never get better. Traffic is already increasing.
That agreement was only with Jennylin Neighbors. Not any other neighbors.
He is NOT adding another lane! The set backs won't help! Having the frontage road narrow, then widen at these homes, then narrow again - is pointless!
This decision can destroy the area.
Don't be greedy and do what's right for the community.
The proposed density is too much for the Frontage Road!
Also, this has nothing to do with the TSMC plant and homes needed. There are THOUSANDS of acres all around the plant that can be built on - you do NOT need to shove homes into our small area.
Please make the right decision and do NOT build apartments and build only homes on 1/2 acre and 1 acre lots.
Why have you know "planned" to build an on/off ramp between Anthem and New River exits both north and south bound?? That will help with the traffic.
So - what are you doing to plan for the mass traffic congestion this will cause?
I oppose this until you plan properly and find solutions to be proactive with the traffic congestion this will cause.

I'm disappointed and frustrated that you simply agree to everything.

Thank you,
Harmony Brown

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android [aka.ms]

City of Phoenix

Report

Agenda Date: 7/3/2023, **Item No.** 97

Public Hearing and Ordinance Adoption - Rezoning Application Z-8-22-1 - Northeast Corner of I-17 and Circle Mountain Road and the Southeast Corner of I -17 and Jenny Lin Road (Ordinance G-7140)

Request to hold a public hearing and amend the Phoenix Zoning Ordinance, Section 601, the Zoning Map of the City of Phoenix, by adopting Rezoning Application Z-8-22-1 and rezone the site from C-2 (Intermediate Commercial), C-3 (General Commercial), S -1 (Ranch or Farm Residence), County RU-43 (One Acre Per Dwelling Unit) (Pending Annexation), and Pending S-1 (Ranch or Farm Residence) to R-2 (Multifamily Residence District), R-3 (Multifamily Residence District), and R-3A (Multifamily Residence District) to allow single-family and multifamily residential. This is a companion case and must be heard following GPA-RV-1-22-1.

Summary

Current Zoning: C-2 (44.29 acres), C-3 (11.96 acres), S-1 (9.06 acres), County RU-43 (8.03 acres), Pending S-1 (5.95 acres)
Proposed Zoning: R-2 (29.14 acres), R-3 (31.78 acres), R-3A (18.37 acres)
Acreage: 79.29 acres
Proposal: Single-family and multifamily residential

Owner: Circle Mountain Holdings, LLC
Applicant/Representative: Adam Baugh, Withey Morris Baugh, PLC

Staff Recommendation: Approval, subject to stipulations.
VPC Action: The Rio Vista Village Planning Committee heard this case on May 9, 2023, and recommended approval, per the staff recommendation, with additional stipulations, by a vote of 5-1.
PC Action: The Planning Commission heard this case on June 1, 2023, and recommended approval, per the staff memo dated June 1, 2023, with an additional stipulation, by a vote of 8-0.

Location

Northeast corner of I-17 and Circle Mountain Road and the southeast corner of I-17 and Jenny Lin Road
Council District: 1

Parcel Address: 44301, 44333, 44421, 44825 and 45111 N. Black Canyon Highway; and 3900 W. Circle Mountain Road

Responsible Department

This item is submitted by Deputy City Manager Alan Stephenson and the Planning and Development Department.

ATTACHMENT A

THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL, ADOPTED ORDINANCE

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-8-22-1) FROM C-2 (INTERMEDIATE COMMERCIAL), C-3 (GENERAL COMMERCIAL), S-1 (RANCH OR FARM RESIDENCE), COUNTY RU-43 (ONE ACRE PER DWELLING UNIT) (PENDING ANNEXATION), AND PENDING S-1 (RANCH OR FARM RESIDENCE) TO R-2 (MULTIFAMILY RESIDENCE DISTRICT), R-3 (MULTIFAMILY RESIDENCE DISTRICT), AND R-3A (MULTIFAMILY RESIDENCE DISTRICT).

_____

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 79.29-acre site located on the northeast corner of I-17 and Circle Mountain Road and the southeast corner of I-17 and Jenny Lin Road in a portion of Section 3, Township 6 North, Range 2 East, as described more specifically in Exhibit “A,” is hereby changed from 44.29 acres of “C-2” (Intermediate Commercial), 11.96 acres of “C-3” (General Commercial), 9.06 acres of “S-1” (Ranch or Farm Residence), 8.03 acres of County “RU-43” (One Acre Per Dwelling Unit) (pending annexation), and 5.95 acres of Pending “S-1” (Ranch or Farm Residence) to 29.14

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acres of “R-2” (Multifamily Residence District), 31.78 acres of “R-3” (Multifamily Residence District), and 18.37 acres of “R-3A” (Multifamily Residence District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

Overall Site

1. Each phase of the development shall utilize the Planned Residential Development (PRD) option.

2. A minimum building setback of 100 feet shall be provided along the west property line, except for the northern most 1,077 feet, which shall have a minimum building setback of 55 feet, as approved by the Planning and Development Department.

3. A minimum landscaped setback of 30 feet shall be provided along the west property line, as approved by the Planning and Development Department.

4. All perimeter setbacks adjacent to public streets shall be planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 50% 2-inch caliper and 50% 3-inch caliper large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings with a staggered row of trees for every 20 feet of setback.

    b. Drought tolerant shrubs, accents and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

5. A minimum of 10% of the required shrubs shall be a milkweed or other native nectar species and shall be planted in groups of three or more, as approved by the Planning and Development Department.

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6. All pedestrian pathways and trails, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, calculated at summer solstice at noon as shown on a shading study, as approved by the Planning and Development Department.

7. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments, that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.

8. The primary entry/exit drives into the residential developments shall incorporate decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.

9. The primary entry/exit drives into the residential developments shall incorporate enhanced landscaping on both sides within minimum 250-square-foot landscape areas and shall incorporate a minimum 5-foot-wide landscape median, planted with a variety of at least three plant materials, as approved by the Planning and Development Department.

10. Traffic calming measures shall be provided at all site entries and exits to slow down vehicular speeds as they approach sidewalks and trails, as approved by the Planning and Development Department.

11. Each phase of the development shall provide bicycle infrastructure as described below, as approved by the Planning and Development Department.

    a. Secured bicycle parking shall be provided for units without garages at a rate of 0.25 spaces per multifamily residential dwelling unit, up to a maximum of 50 spaces.

    b. Guest bicycle parking shall be provided at a minimum of 0.05 spaces per multifamily residential and single-family residential dwelling unit, up to a maximum of 50 spaces. Guest bicycle parking for single-family residential shall be located in open space and amenity areas. Bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the community center and/or clubhouse and open space areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

    c. A bicycle repair station (“fix it station”) shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering

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areas, where applicable. The repair station shall include, but not be limited to standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

12. A Water Master Plan, Wastewater Master Plan, and Trails and Pedestrian Circulation Master Plan for the overall development, per the requirements of the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, shall be provided and updated with each phase of development to include the following elements, as approved by the Planning and Development Department.

    a. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the west side of the site adjacent to the I-17 frontage road and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement, in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development department.

    b. A north-south pedestrian connection shall be provided to connect all phases of the development, including the area between Project II and Project III.

    c. Four pedestrian connections shall be provided from the site leading to the adjacent trails directly east or west of the site.

    d. Pedestrian access shall be provided to future development to the east for each phase of development.

13. The indoor noise levels of residential units shall not exceed a decibel day night-level (DNL) of 45 decibels, as approved by the Planning and Development Department. A sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control shall be included with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.

14. Noise mitigation walls shall be provided along the west perimeter of the site. The wall height shall be determined through a noise analysis prepared by a registered professional engineer. The wall shall be constructed of minimum 8-inch-thick concrete masonry units (CMU) or of cast-in-place concrete and contain no openings unless they are above the minimum height required for adequate noise mitigation or for drainage. Noise walls shall be constructed to wrap around corner lots and areas near intersections. Wrap around walls, upon turning a corner, shall continue for at least 120 feet (approximately two lot

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widths), as approved by the Planning and Development Department.

15. Perimeter walls, noise walls, and other walls shall vary by a minimum of four feet every 400 lineal feet to visually reflect a meandering or staggered setback, as approved by the Planning and Development Department.

16. Perimeter walls, including the noise wall, shall incorporate stone veneer, stonework, or integral color CMU block, as approved by the Planning and Development Department.

17. Interior walls and privacy fencing, excluding walls located between lots, shall use materials and colors that blend with the natural desert environment, as approved by the Planning and Development Department.

18. A minimum of 15% of each phase shall be retained as open space, including washes and hillside areas, as approved by the Planning and Development Department.

19. Each phase of the development shall contain a minimum of four shaded active recreation amenities, such as a tot lot, picnic areas, seating features, garden amenities, or similar amenities, as approved by the Planning and Development Department.

20. A combination of view walls/fencing and partial view walls/fencing shall be incorporated along property lines adjacent to dedicated public or private open space areas, natural and/or improved drainageways or recreational areas, as approved by the Planning and Development Department.

21. Drainage channels shall be designed to look natural in the desert setting through color, texture, landscaping, or other means, as approved by the Planning and Development Department.

22. A minimum of 2% of the required parking spaces, including garages, shall include Electric Vehicle (EV) Installed infrastructure and 5% of the required parking spaces shall include EV Capable infrastructure, as approved by the Planning and Development Department.

23. Minimum 5-foot-wide detached sidewalks and minimum 5-foot-wide landscape strips located between the back of curb and sidewalk within the development shall be constructed and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.

    b. Drought tolerant shrubs, accents, and vegetative groundcovers to

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achieve a minimum of 75% live vegetative ground coverage at maturity.

Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

24. Minimum 5-foot-wide detached sidewalks, or wider to meet Maricopa County Department of Transportation (MCDOT) minimum standards, and minimum 5-foot-wide landscape strips located between the back of curb and sidewalk, or wider to meet MCDOT minimum standards shall be constructed along the south side of Jenny Lin Road, the east side of the I-17 frontage road, and the north side of Circle Mountain Road, planted to the following standards. The developer shall record a landscaping maintenance agreement with the Maricopa County Department of Transportation (MCDOT) requiring the landowner and/or property management to maintain the installed landscaping within MCDOT right-of-way to the following planting standards, as approved by MCDOT and the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.

    b. Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

    Where utility conflicts arise, the developer shall work with the MCDOT and the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

25. All right-of-way dedications and street improvements for Circle Mountain Road, the I-17 frontage road, and Jenny Lin Road shall comply with Maricopa County Department of Transportation (MCDOT) requirements, as approved by MCDOT. Where possible the County Rural Residential Cross Section shall be utilized for Jenny Lin Road.

26. A minimum 65-feet of right-of-way shall be dedicated, and the east half of the I-17 frontage road shall be constructed per the Maricopa County Department of Transportation (MCDOT) Rural Minor Arterial cross section, as required and approved by MCDOT.

27. A minimum of 30 feet of right-of-way shall be dedicated and constructed for the north side of the minor collector street along the southern boundary of Project III. The improvements shall be consistent with Minor Collector Cross Section F and include a minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk, as approved by the Planning and Development Department.

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28. A minimum of 60 feet of right-of-way shall be dedicated and constructed for the full width of the minor collector street along the northern boundary of Project II. The improvements shall be consistent with Minor Collector Cross Section F and include minimum 5-foot-wide detached sidewalks separated by minimum 5-foot-wide landscape strips located between the back of curb and sidewalk, as approved by the Planning and Development Department.

29. Enhanced pedestrian connections shall be designed and constructed at all public street crossing locations to interconnect the pedestrian trails throughout the entirety of the site, as approved by the Street Transportation Department and the Planning and Development Department.

30. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department and MCDOT (where applicable). All improvements shall comply with all ADA accessibility standards.

31. A Red Border Letter shall be submitted to the Arizona Department of Transportation (ADOT) for this development.

32. The developer shall record documents that disclose to prospective purchasers and renters of property within the development the existence of noise from the I-17 Freeway. The form and content of such documents shall be reviewed and approved by the City prior to recordation.

33. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

34. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.

35. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

36. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder’s Office and delivered to the City to be included in the rezoning application file for record.

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37. Prior to the construction of any residences, all existing wells within the development shall be capped and abandoned, as required by the Arizona Department of Water Resources (ADWR).

38. The development shall petition the Street Transportation Department to eliminate the requirement for street light infrastructure for the development where possible in an effort to protect dark skies.

39. Primary construction access shall be from Circle Mountain Road, or the frontage road, and ancillary construction activity and access may occur on Jenny Lin Road during parts of Project III, as approved by the City of Phoenix Planning and Development Department.

40. The developer shall promptly repair any roadway damage that may occur on Jenny Lin Road during construction.

41. The developer shall include disclosure language in future leases requiring all residents of Project III to acknowledge that a portion of Jenny Lin Road is private property, and no trespass is permitted.

Phase 1 (R-3 Zoned Area)

42. The development shall be in general conformance with the site plan date stamped May 4, 2023, as modified by these stipulations and as approved by the Planning and Development Department.

43. The development shall be in general conformance with the elevations date stamped August 29, 2022, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.

    a. Spanish Colonial architectural style

    b. Windows and glass doors with muntins and mullions

    c. Decorative lighting fixtures at building entrances/exits and by garage doors

    d. Covered front porches

    e. Window and door treatment

    f. Decorative doors

    g. Architectural embellishments including, but not limited to, corbels and terracotta gable vent tubes

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44. Phase 1 of the development shall be limited to a maximum of 288 dwelling units.

Phase 2 (R-2 Zoned Area)

45. The development shall be in general conformance with the site plan date stamped April 13, 2023, as modified by these stipulations and as approved by the Planning and Development Department.

46. The development shall be in general conformance with the elevations date stamped August 29, 2022, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.

    a. Variety of architectural styles

    b. Windows and glass doors with muntins and mullions

    c. Decorative lighting fixtures at building entrances/exits and by garage doors

    d. Covered front porches and covered rear patios

    e. Garage, window and door treatment

    f. Decorative doors

    g. Architectural embellishments including, but not limited to, corbels, terracotta gable vent tubes, and window shutters

    h. Gable end treatment with varied materials and colors

    i. Breaking of massing and with varied materials and colors

47. Phase 2 of the development shall be limited to a maximum of 172 lots.

Phase 3 (R-3A Zoned Area)

48. Conceptual site plans and elevations for Phase 3 shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

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a. All building facades shall contain architectural embellishments and detailing such as, but not limited to, textural changes, pilasters, offsets, recesses, window fenestration, shadowboxes, and canopies.

b. Building and wall colors shall be muted and blend with, rather than contrast, with the surrounding desert environment. Accent colors may be appropriate but used judiciously and with restraint.

c. An architectural theme shall convey a sense of continuity through all phases.

49. A minimum of 10% of surface parking lot areas, exclusive of perimeter landscape setbacks, shall be landscaped. The surface parking lot areas shall be landscaped with minimum 2-inch caliper large canopy drought-tolerant shade trees and shall be dispersed throughout the parking area to achieve a minimum 25% shade at maturity, as approved by the Planning and Development Department.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of July, 2023.

_____
MAYOR

ATTEST:

_____
Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

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_____
_____

REVIEWED BY:

_____
Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (5 Pages)
B – Ordinance Location Map (1 Page)

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EXHIBIT A

PROJECT 1 LEGAL DESCRIPTION

A PORTION OF THE WEST HALF OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 2 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 3, BEING MARKED BY A CITY OF PHOENIX BRASS CAP IN HANDHOLE FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 3, BEING MARKED BY A GLO CAP WITH SECTIONAL MARKINGS BEARS NORTH 00 DEGREES 12 MINUTES 28 SECONDS WEST, 2638.76 FEET;

THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, SOUTH 89 DEGREES 58 MINUTES 18 SECONDS EAST, 1,551.65 FEET, TO A NONTANGENT CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 25,028.70 FEET, THE CENTER OF WHICH BEARS NORTH 89 DEGREES 20 MINUTES 18 SECONDS EAST TO THE POINT OF BEGINNING;

THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 02 DEGREES 51 MINUTES 06 SECONDS, AND AN ARC LENGTH OF 1245.70 FEET;

THENCE SOUTH 89 DEGREES 45 MINUTES 10 SECONDS EAST, 1,074.15 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHWEST QUARTER;

THENCE ALONG SAID EAST LINE, SOUTH 00 DEGREES 08 MINUTES 44 SECONDS EAST, 1,240.24 FEET;

THENCE LEAVING SAID EAST LINE, NORTH 89 DEGREES 58 MINUTES 18 SECONDS WEST, 1,093.85 FEET, TO THE POINT OF BEGINNING.

SAID PORTION OF LAND CONTAINING 1,353,066 SQUARE FEET, OR 31.0621 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, AND/OR RIGHTS-OF-WAYS OF RECORD OR OTHERWISE.

THIS DESCRIPTION SHOWN HEREON IS NOT TO BE USED TO VIOLATE SUBDIVISION REGULATIONS OF THE STATE, COUNTY AND/OR MUNICIPALITY, OR ANY OTHER LAND DIVISION RESTRICTIONS.

PROJECT 2 LEGAL DESCRIPTION

A PORTION OF THE WEST HALF OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 2 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS;

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COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 3, BEING MARKED BY A GLO CAP WITH SECTIONAL MARKINGS FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 3, BEING MARKED BY A CITY OF PHOENIX BRASS CAP IN HANDHOLE BEARS SOUTH 00 DEGREES 12 MINUTES 28 SECONDS EAST, 2,638.76 FEET;

THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, NORTH 89 DEGREES 50 MINUTES 57 SECONDS EAST, 2,648.37 FEET;

THENCE ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, SOUTH 00 DEGREES 08 MINUTES 44 SECONDS EAST, 51.75 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUINING ALONG SAID EAST LINE, SOUTH 00 DEGREES 08 MINUTES 44 SECONDS EAST, 1,355.04 FEET;

THENCE LEAVING SAID EAST LINE, NORTH 89 DEGREES 45 MINUTES 10 SECONDS WEST, 1,074.15 FEET, TO A NON-TANGENT CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 25,028.70 FEET, THE CENTER OF WHICH BEARS SOUTH 87 DEGREES 48 MINUTES 46 SECONDS EAST;

THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 00 DEGREES 33 MINUTES 33 SECONDS, AND AN ARC LENGTH OF 245.35 FEET TO A NONTANGENT LINE;

THENCE NORTH 03 DEGREES 44 MINUTES 22 SECONDS EAST, 375.39 FEET;

THENCE NORTH 03 DEGREES 37 MINUTES 18 SECONDS EAST, 192.16 FEET;

THENCE NORTH 04 DEGREES 16 MINUTES 15 SECONDS EAST, 269.03 FEET;

THENCE SOUTH 87 DEGREES 43 MINUTES 09 SECONDS EAST, 155.01 FEET;

THENCE SOUTH 83 DEGREES 08 MINUTES 34 SECONDS EAST, 65.03 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE LEFT, HAVING A RADIUS OF 150.00 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 30 DEGREES 54 MINUTES 03 SECONDS, AND AN ARC LENGTH OF 80.90 FEET TO THE BEGINNING OF A COMPOUND CURVE, HAVING A RADIUS OF 240.00 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 09 DEGREES 31 MINUTES 12 SECONDS, AND AN ARC LENGTH OF 39.88 FEET;

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THENCE NORTH 56 DEGREES 26 MINUTES 12 SECONDS EAST, 78.24 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE RIGHT, HAVING A RADIUS OF 310.00 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 10 DEGREES 46 MINUTES 35 SECONDS, AND AN ARC LENGTH OF 58.31 FEET;

THENCE NORTH 69 DEGREES 54 MINUTES 59 SECONDS EAST, 136.22 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 00 DEGREES 13 MINUTES 17 SECONDS, AND AN ARC LENGTH OF 0.39 FEET TO A TANGENT LINE;

THENCE NORTH 70 DEGREES 08 MINUTES 16 SECONDS EAST, 90.80 FEET TO A NONTANGENT CURVE, CONCAVE TO THE LEFT, HAVING A RADIUS OF 638.00 FEET, THE CENTER OF WHICH BEARS NORTH 19 DEGREES 53 MINUTES 44 SECONDS WEST;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 10 DEGREES 29 MINUTES 41 SECONDS, AND AN ARC LENGTH OF 116.86 FEET TO A NON-TANGENT LINE;

THENCE NORTH 59 DEGREES 36 MINUTES 35 SECONDS EAST, 43.16 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE RIGHT, HAVING A RADIUS OF 185.00 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 26 DEGREES 11 MINUTES 38 SECONDS, AND AN ARC LENGTH OF 84.58 FEET;

THENCE NORTH 85 DEGREES 48 MINUTES 13 SECONDS EAST, 117.26 FEETTO THE POINT OF BEGINNING.

SAID PORTION OF LAND CONTAINING 1,239,346 SQUARE FEET, OR 28.4515 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, AND/OR RIGHTS-OFWAYS OF RECORD OR OTHERWISE.

THIS DESCRIPTION SHOWN HEREON IS NOT TO BE USED TO VIOLATE SUBDIVISION REGULATIONS OF THE STATE, COUNTY AND/OR MUNICIPALITY, OR ANY OTHER LAND DIVISION RESTRICTIONS.

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PROJECT 3 LEGAL DESCRIPTION

A PORTION OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 6 NORTH, RANGE 2 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST QUARTER CORNER OF SAID SECTION 3, BEING MARKED BY A GLO CAP WITH SECTIONAL MARKINGS FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 3, BEING MARKED BY A GLO CAP WITH SECTIONAL MARKINGS BEARS SOUTH 00 DEGREES 12 MINUTES 28 SECONDS EAST, 2,638.76 FEET;

THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3, NORTH 89 DEGREES 59 MINUTES 33 SECONDS EAST, 2,008.27 FEET POINT OF BEGINNING;

THENCE CONTINUNG ALONG SAID NORTH LINE, SOUTH 89 DEGREES 59 MINUTES 33 SECONDS EAST, 631.32 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION;

THENCE ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, SOUTH 00 DEGREES 07 MINUTES 45 SECONDS EAST, 962.87 FEET;

THENCE LEAVING SAID EAST LINE, SOUTH 89 DEGREES 52 MINUTES 15 SECONDS WEST, 32.52 FEET;

THENCE SOUTH 76 DEGREES 55 MINUTES 15 SECONDS WEST, 100.00 FEET;

THENCE SOUTH 13 DEGREES 04 MINUTES 45 SECONDS EAST, 12.19 FEET;

THENCE SOUTH 76 DEGREES 55 MINUTES 15 SECONDS WEST, 50.00 FEET;

THENCE SOUTH 13 DEGREES 04 MINUTES 45 SECONDS EAST, 28.63 FEET;

THENCE SOUTH 76 DEGREES 55 MINUTES 15 SECONDS WEST, 95.48 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE LEFT, HAVING A RADIUS OF 231.50 FEET;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 34 DEGREES 35 MINUTES 46 SECONDS, AND AN ARC LENGTH OF 139.78 FEET TO A TANGENT LINE;

THENCE SOUTH 42 DEGREES 19 MINUTES 29 SECONDS WEST, 269.47 FEET;

THENCE SOUTH 58 DEGREES 21 MINUTES 18 SECONDS WEST, 45.17 FEET;

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THENCE NORTH 85 DEGREES 48 MINUTES 48 SECONDS WEST, 279.62 FEET;

THENCE NORTH 04 DEGREES 09 MINUTES 40 SECONDS EAST, 8.79 FEET;

THENCE NORTH 14 DEGREES 03 MINUTES 47 SECONDS EAST, 754.66 FEET;

THENCE NORTH 06 DEGREES 02 MINUTES 40 SECONDS EAST, 592.89 FEET TO THE POINT OF BEGINNING.

SAID PORTION OF LAND CONTAINING 844,490 SQUARE FEET, OR 19.3868 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, AND/OR RIGHTS-OFWAYS OF RECORD OR OTHERWISE.

THIS DESCRIPTION SHOWN HEREON IS NOT TO BE USED TO VIOLATE SUBDIVISION REGULATIONS OF THE STATE, COUNTY AND/OR MUNICIPALITY, OR ANY OTHER LAND DIVISION RESTRICTIONS.

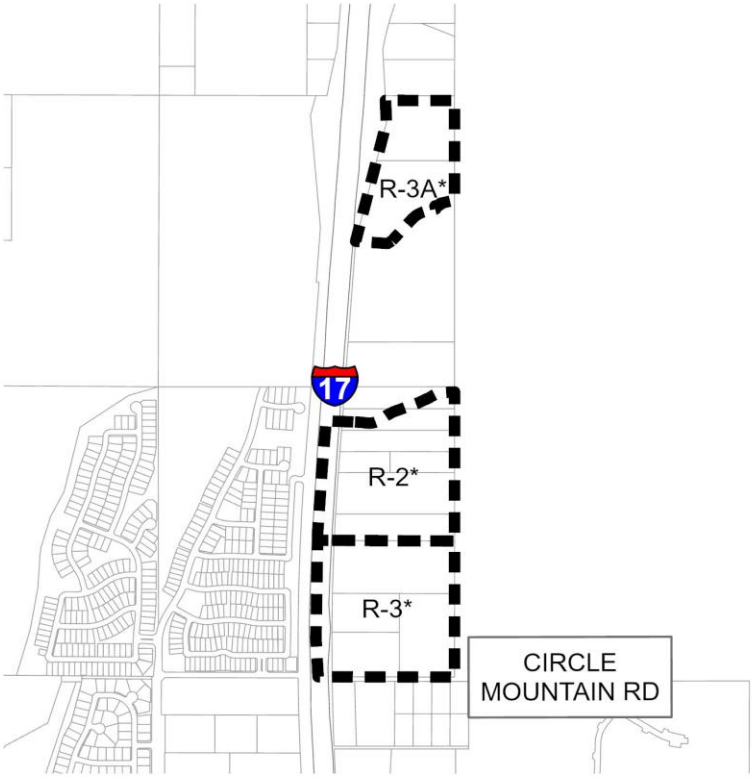
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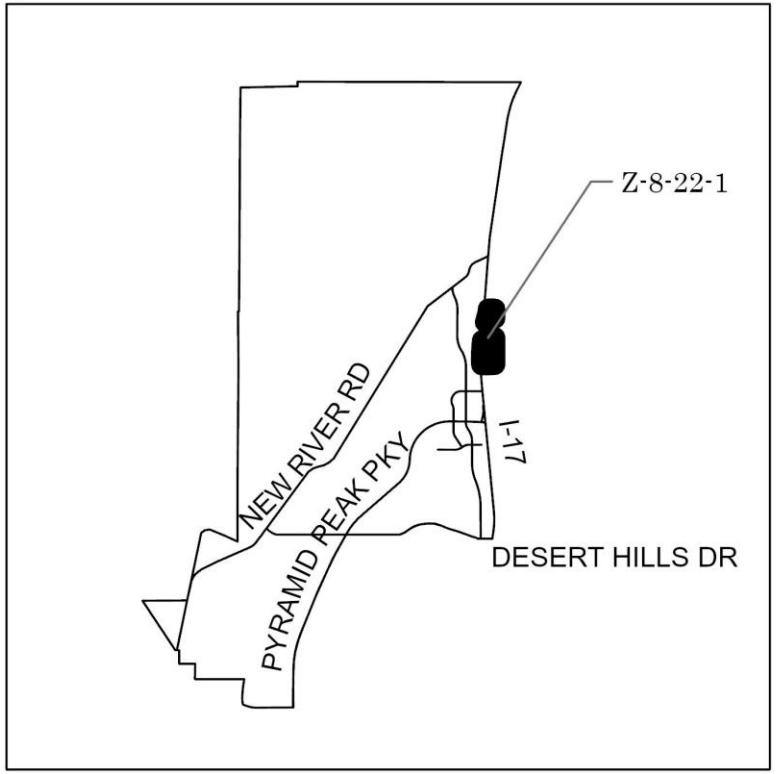
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA:

Zoning Case Number: Z-8-22-1
Zoning Overlay: N/A
Planning Village: Rio Vista





NOT TO SCALE

N

Drawn Date: 6/5/2023

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ATTACHMENT B

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-8-22-1
May 9, 2023

Rio Vista Village Planning Committee Meeting Date:	May 9, 2023
Planning Commission Hearing Date:	June 1, 2023
Request From:	C-2 (Intermediate Commercial) (44.29 acres), C-3 (General Commercial) (11.96 acres), S-1 (Ranch or Farm Residence) (9.06 acres), County RU-43 (One Acre Per Dwelling Unit) (Pending Annexation) (8.03 acres) and Pending S-1 (Ranch or Farm Residence) (5.95 acres)
Request To:	R-2 (Multifamily Residence District) (29.14 acres), R-3 (Multifamily Residence District) (31.78 acres), and R-3A (Multifamily Residence District) (18.37 acres)
Proposal:	Single-family and multifamily residential
Location:	Northeast corner of I-17 and Circle Mountain Road and the southeast corner of I-17 and Jenny Lin Road
Owner:	Circle Mountain Holdings, LLC
Applicant/Representative:	Adam Baugh, Withey Morris Baugh, PLC
Staff Recommendation:	Approval, subject to stipulations

General Plan Conformity	
General Plan Land Use Designation	**Current:** Residential 3.5 to 5 dwelling units per acre (68.93 acres) Commercial (45.65 acres) **Proposed:** Residential 5 to 10 dwelling units per acre (64.52 acres) Residential 10 to 15 dwelling units per acre (31.07 acres) Residential 15+ dwelling units per acre (18.99 acres) Remove Infrastructure Phasing Overlay (114.58 acres)

Street Map Classification	I-17 frontage road	Minor Collector	Width varies +48 feet (MCDOT right-of-way)
	Jenny Lin Road	Local	0-foot south half street (MCDOT right-of-way)
	Circle Mountain Road	Local	33-foot north half street (MCDOT right-of-way)

CONNECT PEOPLE & PLACES CORE VALUE; COMPLETE STREETS; DESIGN PRINCIPLE: In order to balance a more sustainable transportation system, development should be designed to include increased amenities for transit, pedestrian and bicyclists such as shade, water, seating, bus shelters, wider sidewalks, bike racks, pedestrian scale lighting and way-finding.

As stipulated, the proposal will provide bicycle infrastructure, including bicycle parking and bicycle repair stations.

CONNECT PEOPLE & PLACES CORE VALUE; CANALS & TRAILS; DESIGN PRINCIPLE: Provide multi-use trail connections where appropriate.

As stipulated, the proposal will provide a multi-use trail along the western perimeter of the site to provide connection points to adjacent trails and to provide a more comfortable user experience for pedestrians and bicyclists to access the surrounding area.

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; DIVERSE NEIGHBORHOODS; LAND USE PRINCIPLE: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.

The proposal will provide a mix of housing types and densities that are approximately located along the existing I-17 freeway and nearby the Anthem Employment Center to the south.

BUILD THE SUSTAINABLE DESERT CITY; TREES AND SHADE; DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The proposal will provide shade along public and private sidewalks and trails, in addition to the internal pedestrian pathways. This will help to provide shade for pedestrians and bicyclists in and around the community.

BUILD THE SUSTAINABLE DESERT CITY; WATER SUPPLY; DESIGN PRINCIPLE: Maximize the use of drought-tolerant vegetation in landscaped areas throughout the city and promote the use of Xeriscape techniques.

The proposal will provide drought-tolerant species for landscaping. The landscape species will be selected from the Arizona Department of Water Resources Low-Water-Use/Drought-Tolerant Plant List in order to ensure the species is a drought-tolerant low-water-use species.

Applicable Plan, Overlays, and Initiatives
Rio Vista Village Design Guidelines: See Background Item No. 5. **National Wildlife Federation's Mayor's Monarch Pledge:** See Background Item No. 6. **Housing Phoenix Plan:** See Background Item No. 7. **Tree and Shade Master Plan:** See Background Item No. 8. **Complete Streets Guidelines:** See Background Item No. 9. **Comprehensive Bicycle Master Plan:** See Background Item No. 10. **Zero Waste PHX:** See Background Item No. 11. **Transportation Electrification Action Plan:** See Background Item No. 12.

Surrounding Land Uses/Zoning		
	Land Use	**Zoning**
On Site	Vacant	C-2, C-3, S-1, County RU-43 (Pending Annexation) and Pending S-1
North (across Jenny Lin Road)	Single-family residential	County RU-43
South (across Circle Mountain Road)	Recreational vehicle dealership and vacant lots	C-2, C-3, and County RU-43
East	Vacant (State Trust Land and Daisy Mountain Preserve)	N/A
West (across I-17)	Single-family residential ad vacant land	R1-6 and County RU-43

Phase 1 (Project I): R-3 – Multifamily Residence District (Planned Residential Development Option)		
Standards	**Requirements**	**Proposed**
Gross Acreage	-	31.78 acres
Maximum Number of Units	484 units, up to 553 with bonus	288 units
Maximum Density (dwelling units/acre)	15.23 dwelling units per acre, up to 17.40 with bonus	9.06 dwelling units per acre (Met)
Maximum Lot Coverage	45%	34% (Met)
Maximum Building Height	2 stories and 30 feet for first 150 feet; 1-foot increase in height for each additional 5 feet in setback up to 48 feet high, 4-story maximum	Not specified
Minimum Perimeter Building Setbacks		
Adjacent to public street	20 feet	20 feet – 100 feet (Met)
Adjacent to property line	15 feet	15 feet (Met)
Minimum Perimeter Landscape Setbacks		
Adjacent to public street	20 feet	Not specified
Adjacent to property line	5 feet	Not specified
Minimum Open Space	Minimum 5% of gross area	42% (Met)
Minimum Parking	455 spaces 1.3 spaces per efficiency unit; 1.5 spaces per 1- or 2-bedroom unit; 2 spaces per 3- or more bedroom unit; 1.0 spaces per unit of less than 600 square feet If required parking is reserved for residents, additional unreserved parking required at 0.3 spaces for each efficiency unit and 0.5 spaces per each 1- or 2-bedroom unit and 1.0 space per each 3- or more bedroom unit, except where minimum 18-foot driveways are	541 spaces

	provided for individual units then 0.25 space per each unit required for unreserved parking 1- or 2-bedroom units: 243 units x 1.5 spaces 3-bedroom units: 45 units x 2 spaces	

**Variance or site plan modification required*

Phase 2 (Project II): R-2 – Multifamily Residence District (Single-Family, Detached Development, Planned Residential Development Option)		
Standards	**Requirements**	**Proposed**
Gross Acreage	-	29.14 acres
Maximum Number of Units	189 units, up to 349 with bonus	172 units
Maximum Density (dwelling units/acre)	6.5 dwelling units per acre, up to 12 with bonus	5.9 dwelling units per acre (Met)
Maximum Lot Coverage	Primary structure, not including attached shade structures: 40% Total: 50%	Not specified
Maximum Building Height	2 stories and 30 feet (except that 3 stories not exceeding 30 feet are permitted when approved by the design advisor for demonstrating enhanced architecture)	Not specified
Minimum Lot Width	45 feet minimum (unless approved by either the design advisor or the Single-Family Architectural Appeals Board for demonstrating enhanced architecture that minimizes the impact of the garage (see Section 507 Tab A.2.12.1 B(2)(b) [sic]))	45 feet (Met)
Minimum Lot Depth	None, except 110 feet adjacent to freeway or arterial	75 feet (Met)
Subject to Single-Family Design Review	-	Yes
Minimum Perimeter Building Setbacks		
Adjacent to street (front, rear or side)	15 feet (in addition to landscape setback)	I-17 frontage road: 100 feet (Met)

Adjacent to property line	Rear: 15 feet (1-story), 20 feet (2-story)	Not specified
	Side: 10 feet (1-story), 15 feet (2-story)	Not specified
Minimum Interior Building Setbacks		
Front	10 feet	Not specified
Rear	None (established by Building Code)	Not specified
Street Side	10 feet	Not specified
Sides	None (established by Building Code)	Not specified
Common Landscaped Setback Adjacent to Perimeter Streets	15 feet average, 10 feet minimum (does not apply to lots fronting onto perimeter streets)	20 feet (Met)
Minimum Common Area	Minimum 5% of gross area	Not specified
Minimum Parking	2 spaces per dwelling unit	Not specified

**Variance or site plan modification required*

Phase 3 (Project III): R-3A – Multifamily Residence District (Planned Residential Development Option)		
Standards	**Requirements**	**Proposed**
Gross Acreage	-	18.37 acres
Maximum Number of Units	424 units, up to 485 with bonus	Not specified
Maximum Density (dwelling units/acre)	23.1 dwelling units per acre, up to 26.4 with bonus	Not specified
Maximum Lot Coverage	45%	Not specified
Maximum Building Height	3 stories or 40 feet for first 150 feet; 1-foot increase in height for each additional 5 feet in setback up to 48 feet high, 4-story maximum	Not specified
Minimum Perimeter Building Setbacks		
Adjacent to public street	20 feet	Not specified
Adjacent to property line	15 feet	Not specified
Minimum Perimeter Landscape Setbacks		
Adjacent to public street	20 feet	Not specified
Adjacent to property line	5 feet	Not specified

Minimum Open Space	Minimum 5% of gross area	Not specified
Minimum Parking	1.3 spaces per efficiency unit; 1.5 spaces per 1- or 2-bedroom unit; 2 spaces per 3- or more bedroom unit; 1.0 spaces per unit of less than 600 square feet If required parking is reserved for residents, additional unreserved parking required at 0.3 spaces for each efficiency unit and 0.5 spaces per each 1- or 2-bedroom unit and 1.0 space per each 3- or more bedroom unit, except where minimum 18-foot driveways are provided for individual units then 0.25 space per each unit required for unreserved parking	Not specified

**Variance or site plan modification required*

Background/Issues/Analysis

SUBJECT SITE

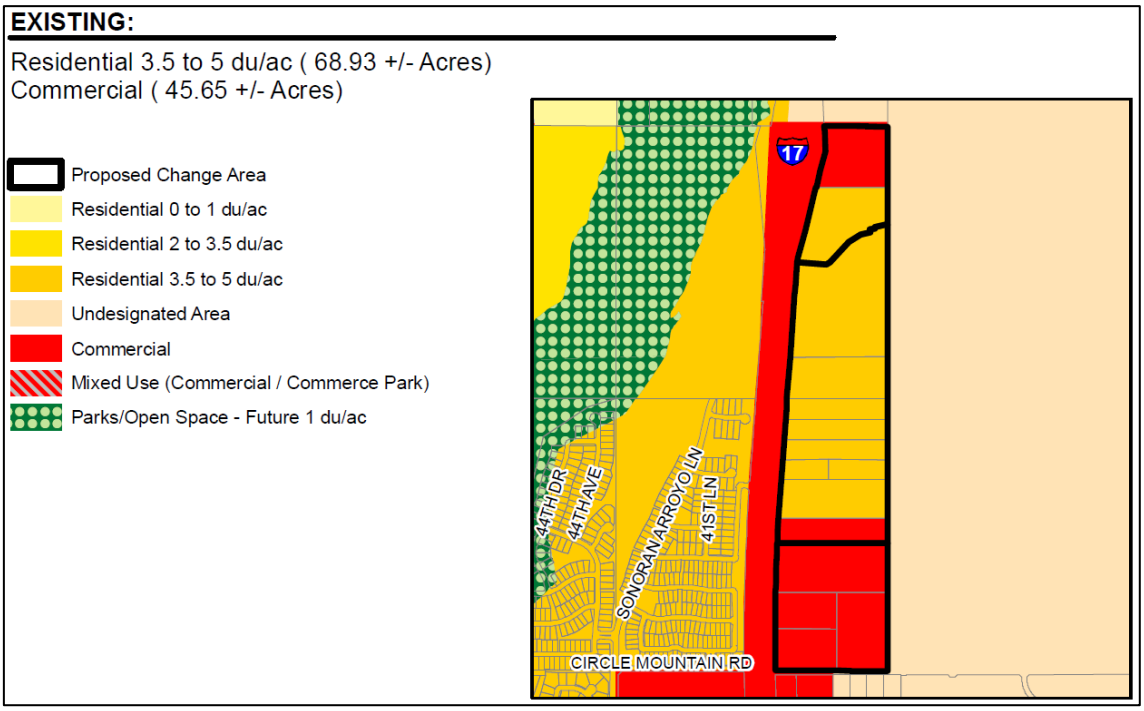
1. This request is to rezone 79.29 acres located at the northeast corner of I-17 and Circle Mountain Road and the southeast corner of I-17 and Jenny Lin Road from 44.29 acres of C-2 (Intermediate Commercial), 11.96 acres of C-3 (General Commercial), 9.06 acres of S-1 (Ranch or Farm Residence), 8.03 acres of County RU-43 (One Acre Per Dwelling Unit) pending annexation, and 5.95 acres of Pending S-1 (Ranch or Farm Residence) to 29.14 acres of R-2 (Multifamily Residence District), 31.78 acres of R-3 (Multifamily Residence District) and 18.37 acres of R-3A (Multifamily Residence District) to allow single-family and multifamily residential.

GENERAL PLAN LAND USE MAP DESIGNATION

2. The General Plan Land Use Map designation for the subject site is Commercial and Residential 3.5 to 5 dwelling units per acre. The proposal is inconsistent with the existing General Plan Land Use Map designations. A concurrent minor General Plan Amendment case, GPA-RV-1-22-1, is proposed to change the General Plan Land Use Map designations for a larger 114.58-acre area to Residential 5 to 10 dwelling units per acre, Residential 10 to 15 dwelling units per acre, Residential 15+ dwelling units per acre and to remove the Infrastructure Phasing Overlay. The proposed R-2, R-3, and R-3A zoning districts are consistent with the proposed General Plan Land Use Map designations.

To the north and east is designated as Undesignated Area located within the County jurisdiction. To the west, across the I-17 freeway, is designated as Residential 3.5 to 5 dwelling units per acre. To the south is designated as Undesignated Area located within the County jurisdiction and Commercial in the City of Phoenix jurisdiction.

In between the separate north and south rezoning areas, the land use designation is Residential 3.5 to 5 dwelling units per acre.



General Plan Land Use Map
Source: Planning and Development Department

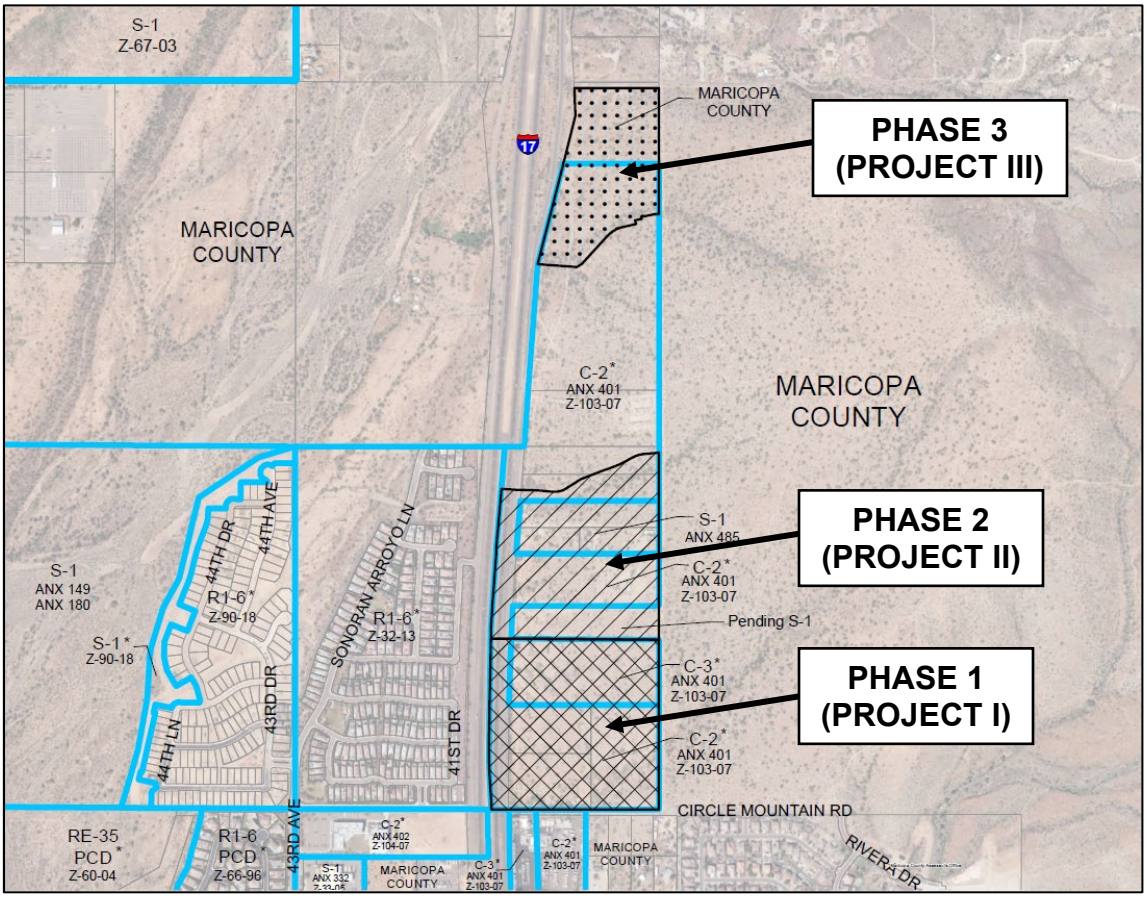
SURROUNDING LAND USES AND ZONING

3. The subject site is currently vacant and is zoned C-2 (Intermediate Commercial), C-3 (General Commercial), S-1 (Ranch or Farm Residence), County RU-43 (One Dwelling Unit Per Acre) pending annexation, and Pending S-1 (Pending Ranch or Farm Residence).

In between Project II and Project III (see the figure on Page 9) is vacant undeveloped land zoned C-2.

To the north (across Jenny Lin Road) is a large single-family residential lot zoned County RU-43. To the south is a recreational vehicle dealer and vacant lots zoned County RU-43, C-2, and C-3. To the east is State Trust Land and the Daisy Mountain Preserve with no zoning designation. To the west (across the I-

17) is a single-family residential subdivision zoned R1-6 (Single-Family Residence District) and vacant land zoned County RU-43.



Zoning Sketch Map
Source: Planning and Development Department

PROPOSAL

4. **Overall Site**

The proposed development will consist of three phases referred to as Project I, Project II and Project III consisting of multifamily residential and single-family residential developments. Due to the location adjacent to the freeway, staff is recommending a series of stipulations to promote high-quality design and mitigation from the traffic noise, including requiring a minimum building setback ranging from 55 to 100 feet and a minimum landscape setback of 30 feet along the west property line (Stipulation Nos. 2 and 3), that noise levels not exceed 45-decibles (Stipulation No. 13), noise mitigation walls adjacent to the west property line adjacent to the I-17 freeway (Stipulation No. 14), that the mix of walls provided on the site shall vary by a minimum of four feet every 400 lineal feet (Stipulation No. 15), that the perimeter walls be constructed with material such as CMU block or a similar material (Stipulation No. 16), and that the developer

record documents to disclose to prospective purchasers and renters of property within the development the existence of noise from the I-17 freeway (Stipulation No. 32). Additionally, due to higher vehicular speeds that may occur along the I-17 frontage road, staff recommends that the developer provide traffic calming measures at all site entries and exits to slow down vehicular speeds as they approach sidewalks and trails. This is addressed in Stipulation No. 10. Furthermore, to ensure pedestrian safety and visibility, staff recommends that where pedestrian walkways cross a vehicular path, the pathway be constructed of alternative material or pavement treatment that visually contrasts with the parking and drive aisle surfaces. This is addressed in Stipulation No. 7. To further pedestrian safety, and to provide scenic views, staff recommends that a combination of view walls/fencing and partial view walls/fencing be incorporated along property lines adjacent to dedicated public or private open space areas, natural and/or improved drainageways and recreational areas. This is addressed in Stipulation No. 20.

For consistency between projects, staff recommends that each phase utilize the Planned Residential Development (PRD) option. This is addressed in Stipulation No. 1. For enhanced entry design, staff recommends that primary entry/exit drives into the residential developments incorporate alternative decorative paving materials and enhanced landscaping on both ends of the driveway and within a minimum 5-foot-wide landscape median within the driveway. This is addressed in Stipulation Nos. 8 and 9. Additionally, to ensure perimeter walls throughout the development are compatible and are higher-quality in design, staff recommends the perimeter walls incorporate stone veneer, stonework, or integral color CMU block. This is addressed in Stipulation No. 16.

In order to blend with the natural desert, staff recommends that drainage channels be designed to look natural in the desert setting through color, texture, landscaping, or other means. This is addressed in Stipulation No. 21. Further, staff recommends that interior walls and private fencing include colors that blend in with the natural desert environment, as listed in Stipulation No. 17.

To enhance compatibility with the surrounding area, which is primarily open space, staff recommends a minimum of 15 percent of the gross area to be retained as open space, including washes and hillside areas, which is triple the minimum required open space. This is addressed in Stipulation No. 18.

Phasing Plan

The phasing plan, attached as an exhibit, proposes residential development consisting of detached single-family and multifamily housing units to be developed in three phases.

Phase 1 (Project I) (31.78 acres) is requested to be zoned R-3 (Multifamily Residence District) and is proposed to be a multifamily build-to-rent community.

Phase 2 (Project 2) (29.14 acres) is requested to be zoned R-2 (Multifamily Residence District) and is proposed to be a single-family detached subdivision.

Phase 3 (Project III) (18.37 acres) is requested to be zoned R-3A (Multifamily Residence District) and does not have a current proposed development.

Phase 1 (Project I) Site Plan

The site plan for Project I, attached as an exhibit, proposes a multifamily build-to-rent community that looks like single-family residences but is subject to multifamily standards.

Project I proposes 288 dwelling units. To retain compatibility with the surrounding area and ensure the project does not become any denser and less compatible with the surrounding area, staff is recommending Stipulation No. 39 to limit the maximum density to 288 units. Vehicular access is proposed to be from the I-17 freeway frontage road through a common entry drive with a roundabout at the leasing office and recreation area. A private drive is proposed to circulate throughout the development to provide vehicular access. Parking will be located throughout the site. Refuse bins are proposed to be dispersed evenly throughout the development. There is a recreation area that is centrally located within the development. Two pocket parks are located towards the south and west portion of the site. Additionally, a wash crosses Phase 1 on the southeast corner and is proposed to be preserved. The proposed site plan meets maximum density, minimum perimeter building setbacks, minimum landscape setbacks and maximum lot coverage requirements. As a result, staff recommends general conformance to the site plan date stamped May 4, 2023. This is addressed in Stipulation No. 37.

Phase 2 (Project II) Site Plan

Project II proposes a detached single-family residential subdivision with 172 lots. To retain compatibility with the surrounding area and ensure the project does not become any denser and less compatible with the surrounding area, staff is recommending Stipulation No. 42 to limit the maximum density to 172 lots. The proposed development would have access from the I-17 freeway frontage road. The subdivision will have one access point with a roundabout from a proposed collector street accessed from the I-17 frontage road. The subdivision is proposed to be gated on both sides of the roundabout. The conceptual site plan, attached as an exhibit, does not depict any vehicular access from Project I. The site plan depicts an amenity area located at the northern portion of the site. The proposed site plan meets maximum density, minimum street perimeter building setbacks, minimum landscape setbacks, minimum lot width and minimum lot

depth requirements. As a result, staff recommends general conformance to the site plan date stamped April 13, 2023. This is addressed in Stipulation No. 40.

Phase 3 (Project III) Site Plan and Elevations

There is no specific development plan for Project III. However, any future development is subject to the approved stipulations for this rezoning case and the Phoenix Zoning Ordinance requirements. Staff recommends that the site plan and elevations for future development of Project III shall be reviewed and approved by the Planning Hearing Officer through the public hearing process. Specific development requirements that will be reviewed by the Planning Hearing Officer include architectural embellishments on all building facades, muted colors to match the surrounding desert environment, and a common architectural theme throughout all developments. This is addressed in Stipulation No. 43.

Phase 1 (Project I) Elevations

The renderings submitted for Project I propose a Spanish Colonial architectural style. The proposed development will have muted building facades including white, beige, red and brown. The renderings propose one-and two-story building units with several decorative elements, including windows and glass doors with muntins and mullions, corbels, Spanish style terracotta clay gable vent tubes and other architectural embellishments, window treatment, balconies with railing, front covered porches and front courtyards, and decorative lighting fixtures. Staff recommends general conformance to the elevations date stamped August 29, 2022, with specific regard to these decorative elements. This is addressed in Stipulation No. 38.

Phase 2 (Project II) Elevations

The elevations and renderings submitted for Project II propose a variety of architectural styles and include plans for one- and two-story buildings with a variety of colors, materials, breaking of massing, window and glass door muntins and mullions, window and door treatments, architectural embellishments, gable end treatment, front covered patios, covered porches, window shutters, and decorative lighting fixtures. Staff recommends general conformance to the elevations date stamped August 29, 2022, with specific regard to these elements. This is addressed in Stipulation No. 41.

PLANS, OVERLAYS, AND INITATIVES

5. **Rio Vista Village Design Guidelines**

The Rio Vista Village Planning Committee developed the Rio Vista Village Design Guidelines to influence the design of new development in the Village. In accordance with the Rio Vista Village Design Guidelines, the proposed development, as stipulated, will include a multi-use trail, natural colors and high-quality building materials, a preserved wash, evenly dispersed open space areas, minimum 15 percent open space, a minimum 100-foot building setback from the

I-17 for a large portion of the site, fenced front courtyards, enhanced decorative windows, and decorative walls. This is addressed in Stipulation Nos. 2, 12.a, 16, 17, 18, 37, 38, 40, and 41.

6. **National Wildlife Federation's Mayor's Monarch Pledge**

In April 2021, Mayor Kate Gallego signed the National Wildlife Federation's Mayor's Monarch Pledge. This pledge commits the city to take action to support the monarch butterfly population. In the United States, loss of milkweed habitat is a major factor in the decline of the monarchs. Arizona has at least 29 species of milkweed native to the state. Adult monarchs feed on the nectar of many flowers, but they breed only where milkweeds are found. To support the monarch butterfly population, Stipulation No. 5 addresses the planting of milkweed shrubs, or other native nectar plant species, on the subject site.

7. **Housing Phoenix Plan**

In June 2020, the Phoenix City Council approved the Housing Phoenix Plan. This Plan contains policy initiatives for the development and preservation of housing with a vision of creating a stronger and more vibrant Phoenix through increased housing options for residents at all income levels and family sizes. Phoenix's rapid population growth and housing underproduction has led to a need for over 163,000 new housing units. Current shortages of housing supply relative to demand are a primary reason why housing costs are increasing. The proposed development supports the Plan's goal of preserving or creating 50,000 housing units by 2030 by contributing to a variety housing types that will address the supply shortage at a more rapid pace while using vacant land in a more sustainable fashion.

8. **Tree and Shade Master Plan**

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and development process. Sidewalks on the street frontages should be detached from the curbs to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect. Staff is recommending the following stipulations designed to provide trees and enhance shade within and adjacent to the development:

- All perimeter setbacks adjacent to public streets shall be planted with 50 percent 2-inch caliper and 50 percent 3-inch caliper streets (Stipulation No. 4);
- Pedestrian pathways and trails, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum of 75 percent shade (Stipulation No. 6);

- Each phase of the development shall contain a minimum of four shaded active recreation amenities (Stipulation No. 19);
- Landscape strips between back of curb and detached sidewalks within the development shall be a minimum of five feet wide and planted with minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings (Stipulation No. 23);
- Landscape strips between back of curb and detached sidewalks for perimeter streets, including along Jenny Lin Road, the I-17 frontage road, and Circle Mountain Road, shall be a minimum five feet wide, or wider to meet Maricopa County Department of Transportation (MCDOT) minimum standards, planted with minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings, and that the developer record a landscaping maintenance agreement with MCDOT requiring the landowner and/or property management to maintain the installed landscaping within MCDOT right-of-way (Stipulation No. 24);
- Surface parking lot areas for Phase 3 shall be landscaped with minimum 2-inch caliper large canopy drought-tolerant shade trees to achieve a minimum of 25 percent shade (Stipulation No. 44).

9. **Complete Streets Guidelines**

In 2014, the City of Phoenix City Council adopted the Complete Streets Guiding Principles. The principles are intended to promote improvements that provide an accessible, safe, connected transportation system to include all modes, such as bicycles, pedestrians, transit, and vehicles. To provide a safe pedestrian environment, staff is recommending that enhanced pavement treatment for the on-site pedestrian walkways that cross vehicular drive aisles. Additionally, staff recommends the developer construct minimum 5-foot-wide detached sidewalks with a minimum 5-foot-wide detached landscape strips between the back of curb and sidewalk within the development and that the sidewalks along Jenny Lin Road, the I-17 frontage road, and Circle Mountain Road be minimum 5-foot-wide detached sidewalks, or wider to meet MCDOT minimum standards, with minimum 5-foot-wide landscape strips between the back of curb and sidewalk, or wider to meet MCODT minimum standards. This is addressed in Stipulation Nos. 7, 23 and 24.

10. **Comprehensive Bicycle Master Plan**

The City of Phoenix adopted the Comprehensive Bicycle Master Plan in 2014 to guide the development of its Bikeway System and supportive infrastructure. The Comprehensive Bicycle Master Plan supports options for both short- and long-

term bicycle parking as a means of promoting bicyclist traffic to a variety of destinations. As stipulated, the project will provide bicycle infrastructure, including secured bicycle parking spaces, guest bicycle parking spaces, and bicycle repair stations. This is addressed in Stipulation No. 11.

11. **Zero Waste PHX**
The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero-waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed-use developments meeting certain criteria. The applicant's submittal materials indicated that the community would obtain City solid waste services, including recycling.

12. **Transportation Electrification Action Plan**
In June 2022, the Phoenix City Council approved the Transportation Electrification Action Plan. The current market desire for the electrification of transportation is both a national and global phenomenon, fueled by a desire for better air quality, a reduction in carbon emissions, and a reduction in vehicle operating and maintenance costs. Businesses, governments and the public are signaling strong future demand for electric vehicles (EVs), and many automobile manufacturers have declared plans for a transition to fully electric offerings within the coming decade. This Plan contains policy initiatives to prepare the City for a future filled with more EVs, charging infrastructure and e-mobility equity, and outlines a roadmap for a five-step plan to prepare for the EV infrastructure needs of 280,000 EVs in Phoenix by 2030. One goal of the Plan to accelerate public adoption of electric vehicles through workplace, business, and multifamily charging infrastructure recommends a standard stipulation for rezoning cases to provide EV charging infrastructure. Staff recommends a minimum of two percent of the required parking spaces, including garages, include EV Installed infrastructure and five percent EV Capable infrastructure. This is addressed in Stipulation No. 22.

COMMUNITY INPUT SUMMARY

13. As of writing this report, staff has received two letters of opposition and three letters with concerns regarding this proposal. The stated concerns are trail connectivity, inclusion of bike lanes, street width and number of lanes, traffic congestion, safety, density, lack of pedestrian connectivity across the I-17, loss of scenic views and darks skies, and high-density housing adjacent to large-lot single family homes. Staff also received a petition of opposition with 214 signatures.

INTERDEPARTMENTAL COMMENTS

14. **Fire Prevention**

The Fire Department commented that the development will need to comply with the Phoenix Fire Code, including requirements for water supply for fire flow and for fire hydrants.

15. **Water Services Department**

The City of Phoenix Water Services Department has noted the property will require water and sewer main extensions to serve the proposed development and that the development will be required to develop on-site water and wastewater master plans and conform with the City's water and wastewater master plan within the Anthem area. The Water Services Department also commented that the water and sewer mains shall be located in an easement and shall follow the easement requirements per WSD's Design Standards Manual, that the developer will be required to install the infrastructure or pay their proportional share for water production and for a water reclamation plant, including land and easements associated with the infrastructure, that the developer will be required to evaluate and upgrade the lift station and force mains as needed, and that water capacity is a dynamic condition that can change over time due to a variety of factors. As a result of the Water Services Department comments, staff recommends master plans be submitted for the development, per the requirements of the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance. This is addressed in Stipulation No. 12.

16. **Maricopa County Parks and Recreation Department**

The Maricopa County Parks and Recreation Department recommended that a multi-use path be provided around the perimeter of the site, that public access is maintained to Daisy Mountain from all directions, that trail connections be provided to adjacent trails and that pedestrian connectivity be provided to connect communities. As a result, staff recommends that a multi-use trail be provided along the west side of the property, that a north-south pedestrian connection be provided to connect all phases of the development from Circle Mountain Road to Jenny Lin Road, and that a minimum of four pedestrian connections from the site leading to the adjacent trails directly east or west of the site be provided. This is addressed in Stipulation Nos. 12.a through 12.c.

17. **Street Transportation Department**

The Street Transportation Department requested the following:

- That street improvements along Circle Mountain Road, the I-17 frontage road, and Jenny Lin Road comply with the Maricopa County Department of Transportation standards;
- That the developer dedicate a minimum of 65 feet of right-of-way along

the east half of the I-17 frontage;

- That the developer dedicate a minimum of 30 feet of right-of-way on the southern boundary of Project III for the north half of a minor collector street;
- That the developer dedicate a minimum of 60 feet of right-of-way on the northern boundary of Project II for the full width of a minor collector street
- That the minor collector street improvements be consistent with Minor Collector Cross Section F and include a minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip for the north half of the minor collector street on the southern boundary of Project III and minimum 5-foot-wide detached sidewalks separated by minimum 5-foot-wide landscape strips for the minor collector street on the northern boundary of Project II;
- That enhanced pedestrian connections be designed and constructed at all public street crossing locations to interconnect the pedestrian trails throughout the entirety of the site;
- That all streets be constructed with all required elements and meet ADA standards;
- That a Red Border Letter be submitted to the Arizona Department of Transportation.

This is addressed in Stipulation Nos. 25 through 31.

18. **Maricopa County Department of Transportation**
The Maricopa County Department of Transportation commented on minimum right-of-way dedication requirements for Black Canyon Highway, Circle Mountain Road and Jenny Lin Road, responsibilities of the developer, and that the developer notify the Arizona Department of Transportation of the proposed development through the Red Border Letter process due to the proximity to the I-17 freeway.

OTHER

19. The site is located in a larger area identified as being archaeologically sensitive. If further review by the City of Phoenix Archaeology Office determines the site and immediate area to be archaeologically sensitive, and if no previous archaeological projects have been conducted within this project area, it is recommended that archaeological Phase I data testing of this area be conducted. Phase II archaeological data recovery excavations may be necessary based upon the results of the testing. A qualified archaeologist must make this determination in consultation with the City of Phoenix Archaeologist. In the event archaeological materials are encountered during construction, all ground

disturbing activities must cease within a 33-foot radius of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation Nos. 33 through 35.

20. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to preliminary site plan approval. This is addressed in Stipulation No. 36.

21. The developer shall provide a hydraulic/hydrologic analysis of offsite storm water flows, when present, at the time of preliminary site plan submittal for verification of required infrastructure in regard to lot space and density.

22. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

Findings

1. The proposal will develop a vacant property and as stipulated, will be compatible with surrounding land uses.

2. The stipulated landscape setbacks and planting standards are above the required minimum standards and will make the proposal a compatible addition to the neighboring area.

3. As stipulated, the proposal supports efforts from various plans and initiatives, such as the Housing Phoenix Plan, the Tree and Shade Master Plan, the Complete Streets Guidelines, the Comprehensive Bicycle Master Plan, and the Transportation Electrification Action Plan.

Stipulations

Overall Site

1. Each phase of the development shall utilize the Planned Residential Development (PRD) option.

2. A minimum building setback of 100 feet shall be provided along the west property line, except for the northern most 1,077 feet, which shall have a

minimum building setback of 55 feet, as approved by the Planning and Development Department.

3. A minimum landscaped setback of 30 feet shall be provided along the west property line, as approved by the Planning and Development Department.

4. All perimeter setbacks adjacent to public streets shall be planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 50% 2-inch caliper and 50% 3-inch caliper large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings with a staggered row of trees for every 20 feet of setback.

    b. Drought tolerant shrubs and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

5. A minimum of 10% of the required shrubs shall be a milkweed or other native nectar species and shall be planted in groups of three or more, as approved by the Planning and Development Department.

6. All pedestrian pathways and trails, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, calculated at summer solstice at noon as shown on a shading study, as approved by the Planning and Development Department.

7. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments, that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.

8. The primary entry/exit drives into the residential developments shall incorporate decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.

9. The primary entry/exit drives into the residential developments shall incorporate enhanced landscaping on both sides within minimum 250-square-foot landscape areas and shall incorporate a minimum 5-foot-wide landscape median, planted with a variety of at least three plant materials, as approved by the Planning and Development Department.

10. Traffic calming measures shall be provided at all site entries and exits to slow down vehicular speeds as they approach sidewalks and trails, as approved by the Planning and Development Department.

11. Each phase of the development shall provide bicycle infrastructure as described below, as approved by the Planning and Development Department.

    a. Secured bicycle parking shall be provided for units without garages at a rate of 0.25 spaces per multifamily residential dwelling unit, up to a maximum of 50 spaces.

    b. Guest bicycle parking shall be provided at a minimum of 0.05 spaces per multifamily residential and single-family residential dwelling unit, up to a maximum of 50 spaces. Guest bicycle parking for single-family residential shall be located in open space and amenity areas. Bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the community center and/or clubhouse and open space areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

    c. A bicycle repair station (“fix it station”) shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

12. A Water Master Plan, Wastewater Master Plan, and Trails and Pedestrian Circulation Master Plan for the overall development, per the requirements of the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, shall be provided and updated with each phase of development to include the following elements, as approved by the Planning and Development Department.

    a. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the west side of the site adjacent to the I-17 frontage road and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement, in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development department.

    b. A north-south pedestrian connection shall be provided to connect all phases of the development, including the area between Project II and Project III.

c. Four pedestrian connections shall be provided from the site leading to the adjacent trails directly east or west of the site.

13. The indoor noise levels of residential units shall not exceed a decibel day night-level (DNL) of 45 decibels, as approved by the Planning and Development Department. A sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control shall be included with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.

14. Noise mitigation walls shall be provided along the west perimeter of the site. The wall height shall be determined through a noise analysis prepared by a registered professional engineer. The wall shall be constructed of minimum 8-inch-thick concrete masonry units (CMU) or of cast-in-place concrete and contain no openings unless they are above the minimum height required for adequate noise mitigation or for drainage. Noise walls shall be constructed to wrap around corner lots and areas near intersections. Wrap around walls, upon turning a corner, shall continue for at least 120 feet (approximately two lot widths), as approved by the Planning and Development Department.

15. Perimeter walls, noise walls, and other walls shall vary by a minimum of four feet every 400 lineal feet to visually reflect a meandering or staggered setback, as approved by the Planning and Development Department.

16. Perimeter walls, including the noise wall, shall incorporate stone veneer, stonework, or integral color CMU block, as approved by the Planning and Development Department.

17. Interior walls and privacy fencing, excluding walls located between lots, shall use materials and colors that blend with the natural desert environment, as approved by the Planning and Development Department.

18. A minimum of 15% of each phase shall be retained as open space, including washes and hillside areas, as approved by the Planning and Development Department.

19. Each phase of the development shall contain a minimum of four shaded active recreation amenities, such as a tot lot, picnic areas, seating features, garden amenities, or similar amenities, as approved by the Planning and Development Department.

20. A combination of view walls/fencing and partial view walls/fencing shall be incorporated along property lines adjacent to dedicated public or private open space areas, natural and/or improved drainageways or recreational areas, as approved by the Planning and Development Department.

21. Drainage channels shall be designed to look natural in the desert setting through color, texture, landscaping, or other means, as approved by the Planning and Development Department.

22. A minimum of 2% of the required parking spaces, including garages, shall include Electric Vehicle (EV) Installed infrastructure and 5% of the required parking spaces shall include EV Capable infrastructure, as approved by the Planning and Development Department.

23. Minimum 5-foot-wide detached sidewalks and minimum 5-foot-wide landscape strips located between the back of curb and sidewalk within the development shall be constructed and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.

    b. Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

    Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

24. Minimum 5-foot-wide detached sidewalks, or wider to meet Maricopa County Department of Transportation (MCDOT) minimum standards, and minimum 5-foot-wide landscape strips located between the back of curb and sidewalk, or wider to meet MCDOT minimum standards shall be constructed along the south side of Jenny Lin Road, the east side of the I-17 frontage road, and the north side of Circle Mountain Road, planted to the following standards. The developer shall record a landscaping maintenance agreement with the Maricopa County Department of Transportation (MCDOT) requiring the landowner and/or property management to maintain the installed landscaping within MCDOT right-of-way to the following planting standards, as approved by MCDOT and the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.

b. Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

Where utility conflicts arise, the developer shall work with the MCDOT and the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

25. All right-of-way dedications and street improvements for Circle Mountain Road, the I-17 frontage road, and Jenny Lin Road shall comply with Maricopa County Department of Transportation (MCDOT) requirements, as approved by MCDOT.

26. A minimum 65-feet of right-of-way shall be dedicated, and the east half of the I-17 frontage road shall be constructed per the Maricopa County Department of Transportation (MCDOT) Rural Minor Arterial cross section, as required and approved by MCDOT.

27. A minimum of 30 feet of right-of-way shall be dedicated and constructed for the north side of the minor collector street along the southern boundary of Project III. The improvements shall be consistent with Minor Collector Cross Section F and include a minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk, as approved by the Planning and Development Department.

28. A minimum of 60 feet of right-of-way shall be dedicated and constructed for the full width of the minor collector street along the northern boundary of Project II. The improvements shall be consistent with Minor Collector Cross Section F and include minimum 5-foot-wide detached sidewalks separated by minimum 5-foot-wide landscape strips located between the back of curb and sidewalk, as approved by the Planning and Development Department.

29. Enhanced pedestrian connections shall be designed and constructed at all public street crossing locations to interconnect the pedestrian trails throughout the entirety of the site, as approved by the Street Transportation Department and the Planning and Development Department.

30. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department and MCDOT (where applicable). All improvements shall comply with all ADA accessibility standards.

31. A Red Border Letter shall be submitted to the Arizona Department of Transportation (ADOT) for this development.

32. The developer shall record documents that disclose to prospective purchasers and renters of property within the development the existence of noise from the I-17 Freeway. The form and content of such documents shall be reviewed and approved by the City prior to recordation.

33. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

34. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.

35. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

36. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Phase 1 (R-3 Zoned Area)

37. The development shall be in general conformance with the site plan date stamped May 4, 2023, as modified by these stipulations and as approved by the Planning and Development Department.

38. The development shall be in general conformance with the elevations date stamped August 29, 2022, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.

    a. Spanish Colonial architectural style

    b. Windows and glass doors with muntins and mullions

    c. Decorative lighting fixtures at building entrances/exits and by garage doors

    d. Covered front porches

e. Window and door treatment

f. Decorative doors

g. Architectural embellishments including, but not limited to, corbels and terracotta gable vent tubes

39. Phase 1 of the development shall be limited to a maximum of 288 dwelling units.

Phase 2 (R-2 Zoned Area)

40. The development shall be in general conformance with the site plan date stamped April 13, 2023, as modified by these stipulations and as approved by the Planning and Development Department.

41. The development shall be in general conformance with the elevations date stamped August 29, 2022, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.

a. Variety of architectural styles

b. Windows and glass doors with muntins and mullions

c. Decorative lighting fixtures at building entrances/exits and by garage doors

d. Covered front porches and covered rear patios

e. Garage, window and door treatment

f. Decorative doors

g. Architectural embellishments including, but not limited to, corbels, terracotta gable vent tubes, and window shutters

h. Gable end treatment with varied materials and colors

i. Breaking of massing and with varied materials and colors

42. Phase 2 of the development shall be limited to a maximum of 172 lots.

Phase 3 (R-3A Zoned Area)

43. Conceptual site plans and elevations for Phase 3 shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

    a. All building facades shall contain architectural embellishments and detailing such as, but not limited to, textural changes, pilasters, offsets, recesses, window fenestration, shadowboxes, and canopies.

    b. Building and wall colors shall be muted and blend with, rather than contrast, with the surrounding desert environment. Accent colors may be appropriate but used judiciously and with restraint.

    c. An architectural theme shall convey a sense of continuity through all phases.

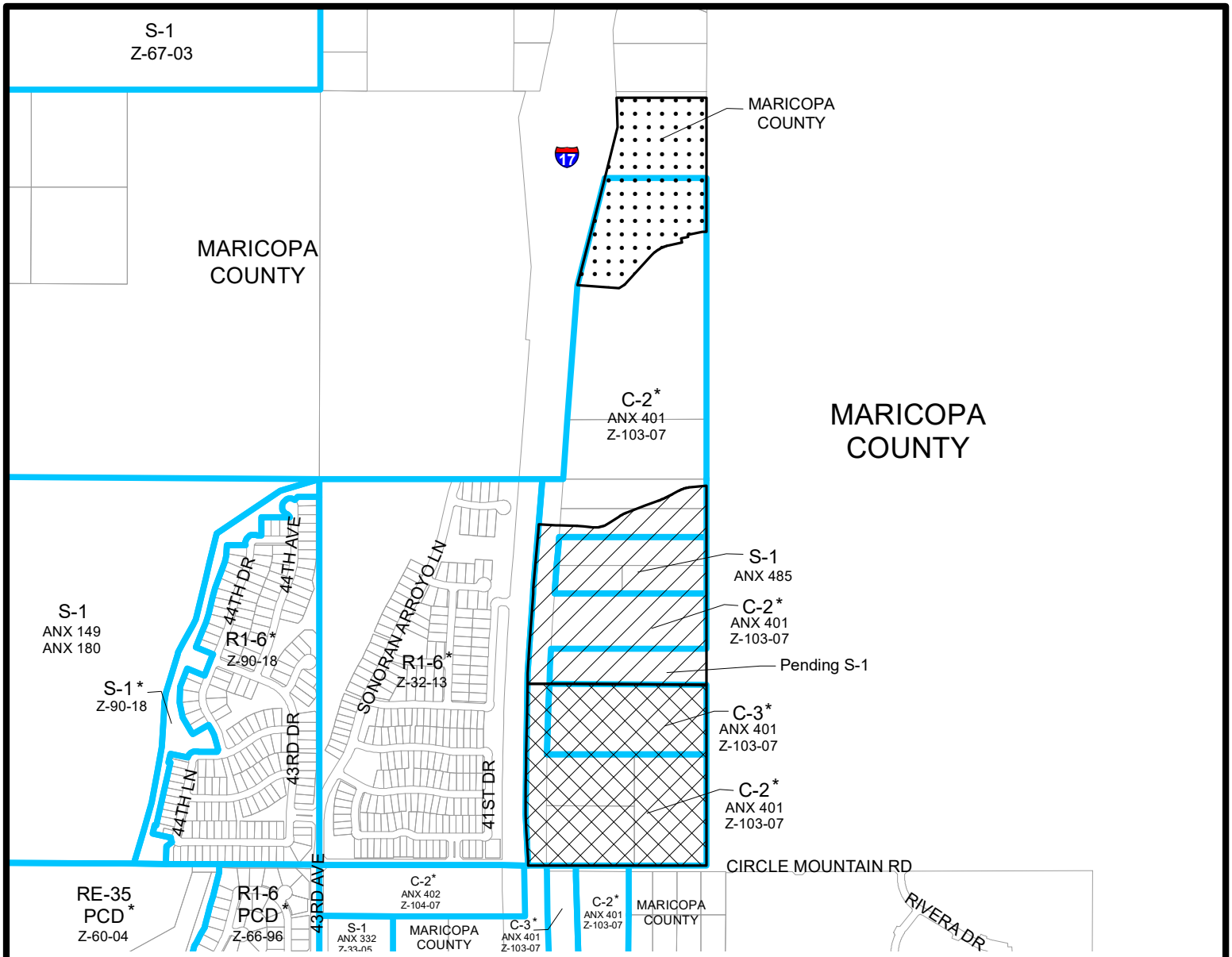
44. A minimum of 10% of surface parking lot areas, exclusive of perimeter landscape setbacks, shall be landscaped. The surface parking lot areas shall be landscaped with minimum 2-inch caliper large canopy drought-tolerant shade trees and shall be dispersed throughout the parking area to achieve a minimum 25% shade at maturity, as approved by the Planning and Development Department.

Writer
Adrian Zambrano and Nayeli Sanchez Luna
May 9, 2023

Team Leader
Racelle Escolar

Exhibits
Zoning Sketch Map
Aerial Sketch Map
Phasing Plan date stamped April 13, 2023
Phase 1 Conceptual Site Plan date stamped May 4, 2023
Phase 1 Elevations date stamped August 29, 2022 (12 pages)
Phase 1 Renderings date stamped August 29, 2022 (7 pages)
Phase 2 Conceptual Site Plan date stamped April 13, 2023
Phase 2 Elevations date stamped August 29, 2022 (10 pages)

Phase 2 Renderings date stamped August 29, 2022 (6 pages)
Community Correspondence (13 pages)



RIO VISTA VILLAGE

CITY COUNCIL DISTRICT: 1

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Withey Morris PLC / Adam Baugh

APPLICATION NO. Z-8-22

DATE: 3/15/2022
REVISION DATES: 1/18/2023 | 4/20/2023

GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.
79.29 Acres

AERIAL PHOTO & QUARTER SEC. NO.: QS 72-19

ZONING MAP: V-6

REQUESTED CHANGE:

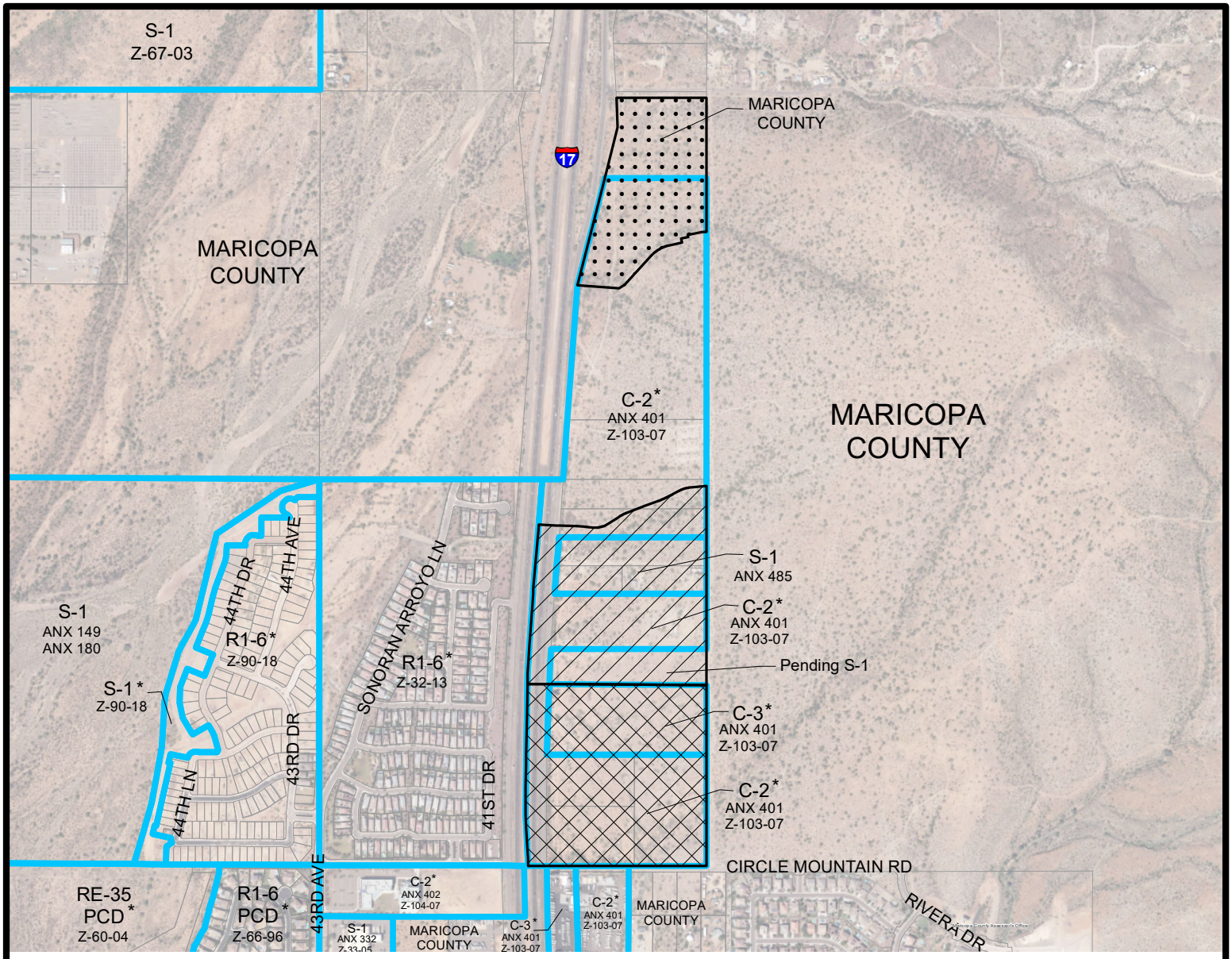
FROM:
C-2 (44.29 a.c.)
C-3 (11.96 a.c.)
S-1 (9.06 a.c.)
RU-43 (County) (8.03 a.c.)
Pending S-1 (5.95 a.c.)

TO:
R-2 (29.14 a.c.)
R-3 (31.78 a.c.)
R-3A (18.37 a.c.)

MULTIPLES PERMITTED	CONVENTIONAL OPTION	* UNITS P.R.D. OPTION
C-2, C-3, S-1, RU-43 (County), Pending S-1	642, 173, 9, 8, 5	770, 208, N/A, N/A, N/A
R-2, R-3, R-3A	291, 461, 404	349, 553, 485

* **Maximum Units Allowed with P.R.D. Bonus**

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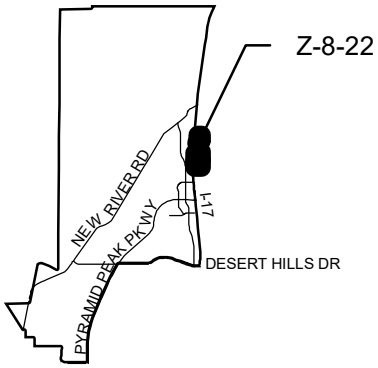


Miles

0.2 0.1 0 0.2

RIO VISTA VILLAGE

CITY COUNCIL DISTRICT: 1



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

APPLICANT'S NAME: Withey Morris PLC / Adam Baugh

APPLICATION NO. Z-8-22

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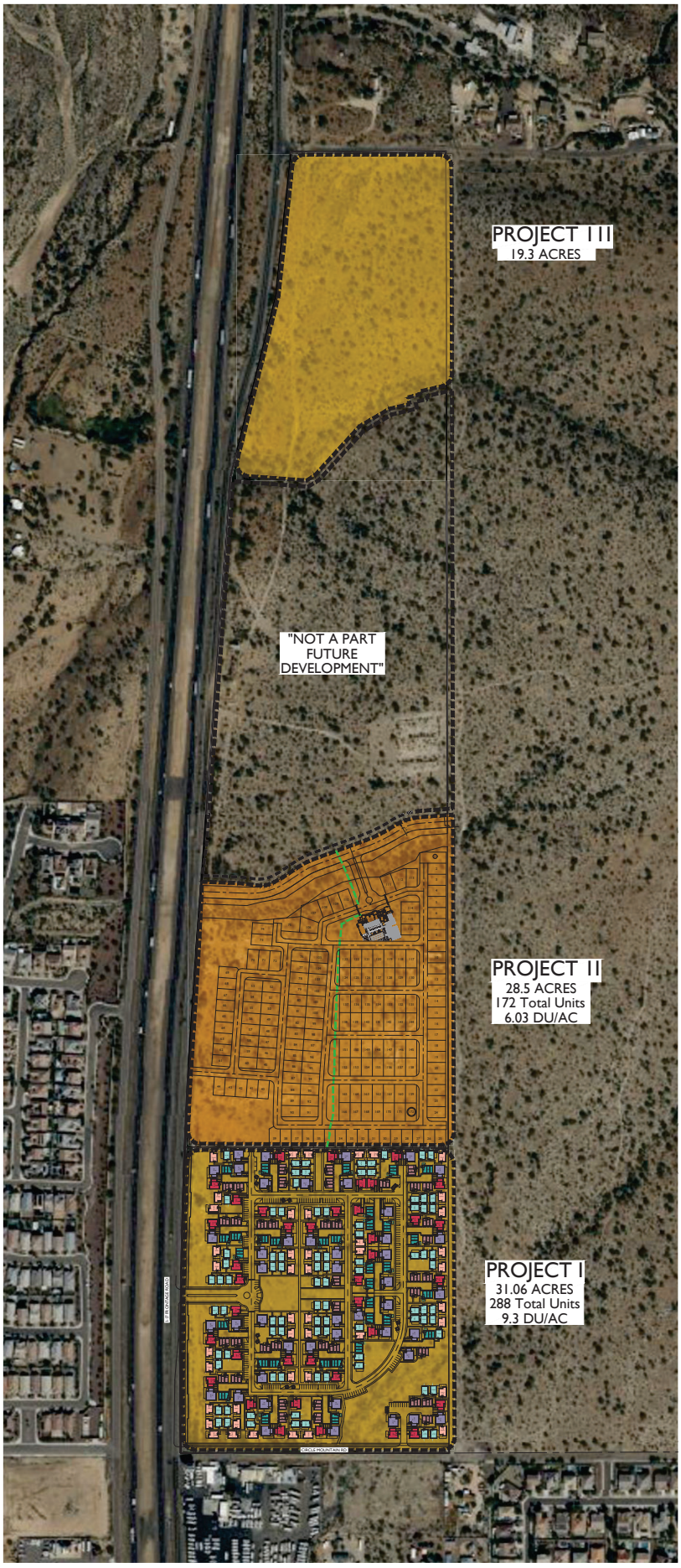
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* **Maximum Units Allowed with P.R.D. Bonus**

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CITY OF PHOENIX
APR 13 2023
Planning & Development Department



PROPOSED ZONING

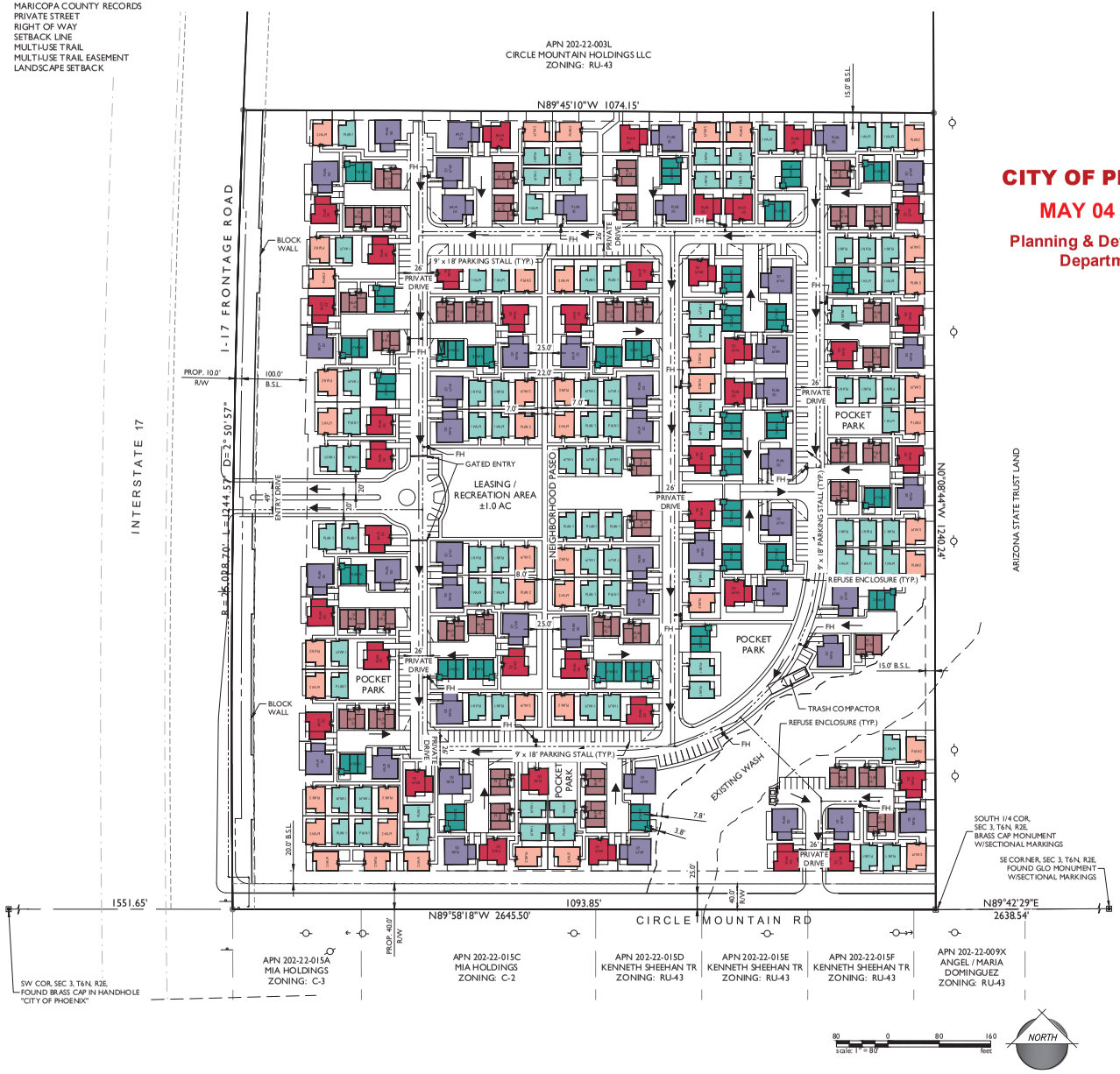
PROJECT I: R-3 PRD
PROJECT II: R-2 PRD
PROJECT III: R-3A

NORTH
200 0 200 400
scale 1" = 200' feet

SHEET	JOB NO	Anthem 114	EPS GROUP
1 OF 1	20-1099	Project Boundary Exhibit	1130 N. Alma School Rd Suite 120 Mesa, AZ 85201 T:480.503.2250 | F:480.503.2258 www.epsgroupinc.com

PRE-APPLICATION SITE PLAN
FOR
ANTHEM 114 PROJECT 1

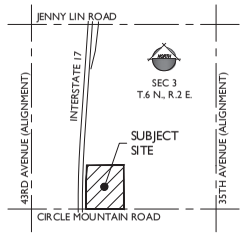
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 3,
TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER MERIDIAN,
NEW RIVER, MARICOPA COUNTY, ARIZONA



CITY OF PHOENIX
MAY 04 2023
Planning & Development Department

VICINITY MAP

N.T.S.



PROJECT TEAM

DEVELOPER:
BELLA FLOR COMMUNITIES
1635 N. GREENFIELD ROAD, STE. 115
MESA, AZ 85205
TEL: (480) 553-7236
CONTACT: HUDD HASSELL
hudd@belaflor.com

PLANNER, ENGINEER, AND LANDSCAPE ARCHITECT:
EPS GROUP, INC.
1130 N. ALMA SCHOOL ROAD, STE. 120
MESA, AZ 85210
TEL: (480-503-2250
CONTACT: BRENNAN MAHER
brennan.maher@epsgroupinc.com

PROJECT INFORMATION

A.P.N.	202-22-003M, 002A, 002B, 002C
LOCATION:	NEC OF I-17 AND CIRCLE MOUNTAIN ROAD
ADDRESS:	44421 N BLACK CANYON HWY NEW RIVER, AZ 85087
CITY OF PHOENIX VILLAGE:	RIO VISTA
CURRENT LAND USE:	VACANT / NATURAL DESERT
EXISTING GENERAL PLAN:	COMMERCIAL
EXISTING ZONING:	C-2 AND C-3
PROPOSED ZONING:	R-2 PRD
GROSS AREA:	+/- 31.06 ACRES
NET AREA:	+/- 29.74 ACRES
NO. OF UNITS:	288
GROSS DENSITY:	9.27 DU/AC.
LOT SALES:	NO
OPEN SPACE:	+/- 13.43 ACRES (45% OF NET)
LOT COVERAGE:	34%

UNIT MIX SUMMARY

PLAN 1	1 BD / 1 BA	947 SF	88 UNITS	(31%)
PLAN 1C	1 BD / 1 BA	1,231 SF	33 UNITS	(11%)
PLAN 2	2 BD / 2 BA	1,103 SF	44 UNITS	(15%)
PLAN 2C	2 BD / 2 BA	1,167 SF	39 UNITS	(14%)
PLAN 2G	2 BD / 2 BA	1,103 SF	38 UNITS	(13%)
PLAN 3G	3 BD / 2 BA	1,398 SF	46 UNITS	(16%)
TOTAL			288 UNITS	(100%)

PARKING SUMMARY

REQUIRED PARKING:

1 & 2 BED (1.5 PER UNIT)	243 UNITS x 1.5	=	365 SPACES
3 BED (2 PER UNIT)	45 UNITS x 2	=	90 SPACES
TOTAL			455 SPACE (1.57 PER UNIT)

PROPOSED PARKING:

GARAGE (PLANS 1C. 2C, 2G & 3G)	300 SPACES
DRIVEWAY	84 SPACES
OPEN	157 SPACES
TOTAL	541 SPACES (1.9 PER UNIT)

PROJECT DESCRIPTION

THIS DEVELOPMENT PLAN CONSISTS OF A MULTI-FAMILY RESIDENTIAL COMMUNITY CONTAINING 288 LOTS WITH A GROSS DENSITY OF 9.27 DWELLING UNITS PER ACRE. THE DEVELOPMENT WILL BE BUILT IN ACCORDANCE WITH THE PLANNED RESIDENTIAL DEVELOPMENT OPTION WITH WATER, SEWER, ROADWAY AND DRAINAGE IMPROVEMENTS. THIS COMMUNITY WILL CONSIST OF PRIVATE STREETS, COMMON AREAS AND AMENITIES TO BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION.

DEVELOPMENT STANDARDS

THIS DEVELOPMENT WILL CONFORM WITH THE R-2 PLANNED RESIDENTIAL DEVELOPMENT STANDARDS.

EPS GROUP
1130 N. Alma School, Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m

Project: Anthem 114 Project 1
44421 N. Black Canyon Highway
New River, AZ

Preliminary Site Plan

Revisions:

Call at least two (2) working days before you begin excavation.
Arizona Blue Stake, Inc. 602.263.1100
In Maricopa County 602.263.1100

Designer: JH
Drawn by: PEM

Preliminary
Not For
Construction
Or
Recording

Job No.
20-1099
PA01

Sheet No.
1
of 1

20-1099 - Anthem 114

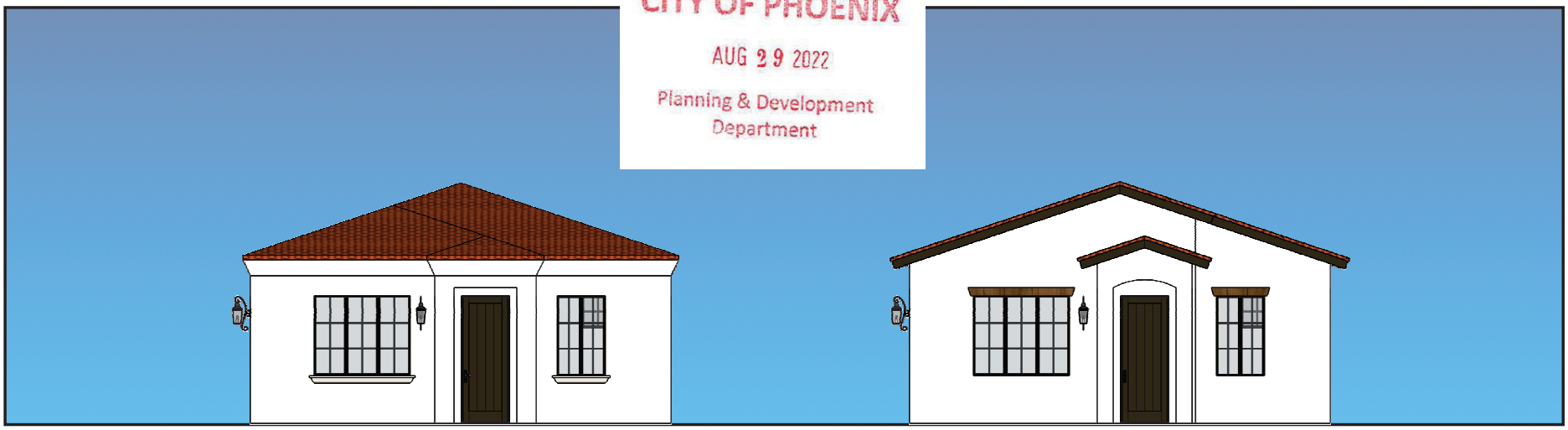
Page 446

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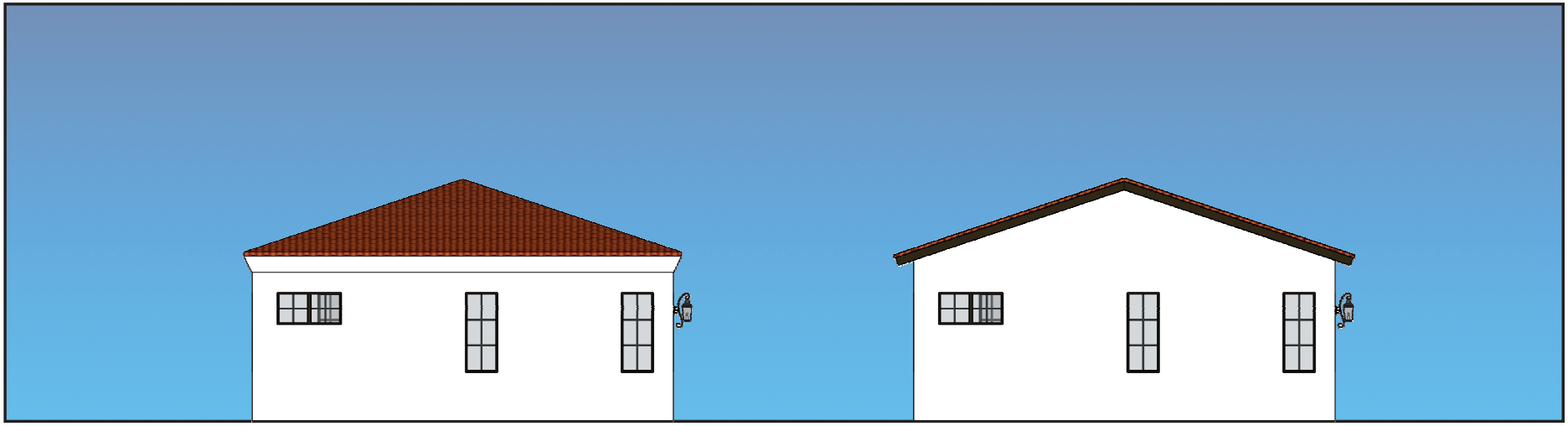
Itokos

Anthem 1

CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department



Front Elevation



Rear Elevation

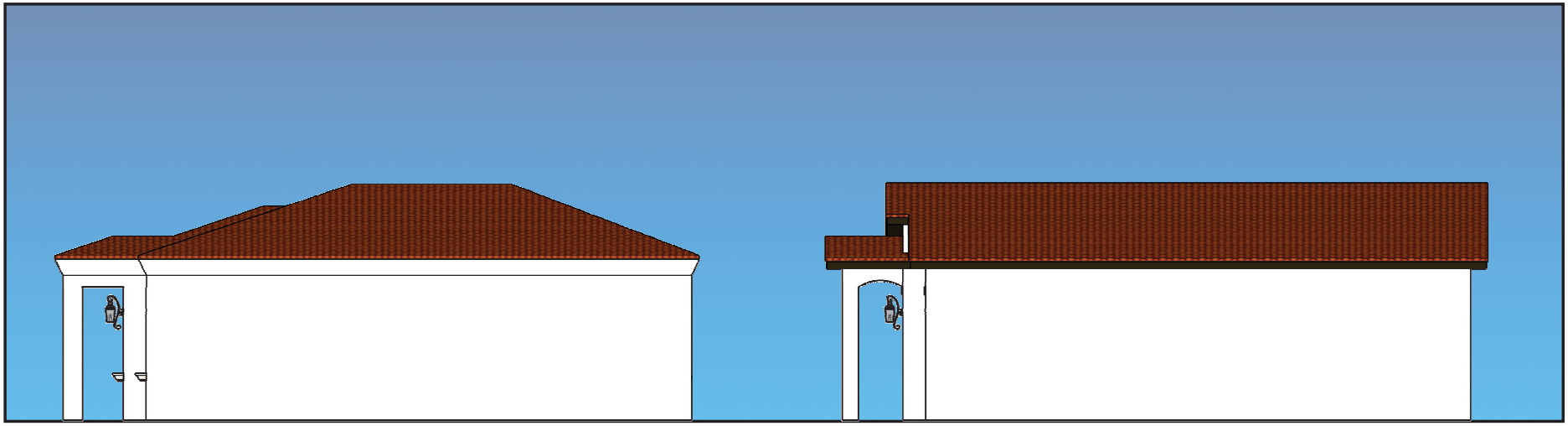
Bela Flor
COMMUNITIES
1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

Anthem 1

CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department



Left Elevation

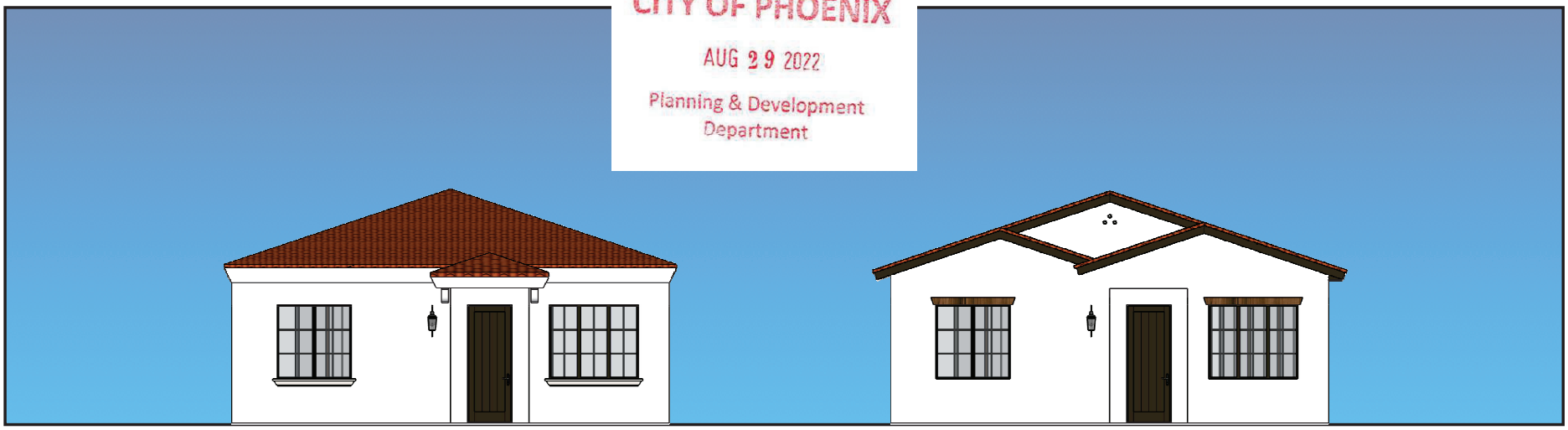


Right Elevation

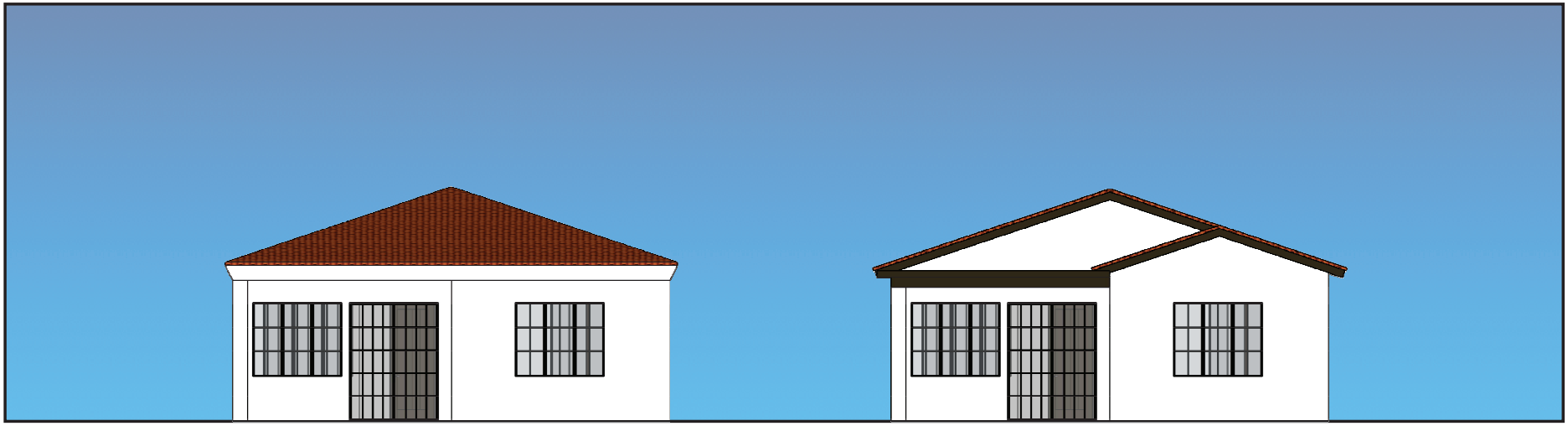
Bela Flor
COMMUNITIES
1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

Anthem 2

CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department



Front Elevation

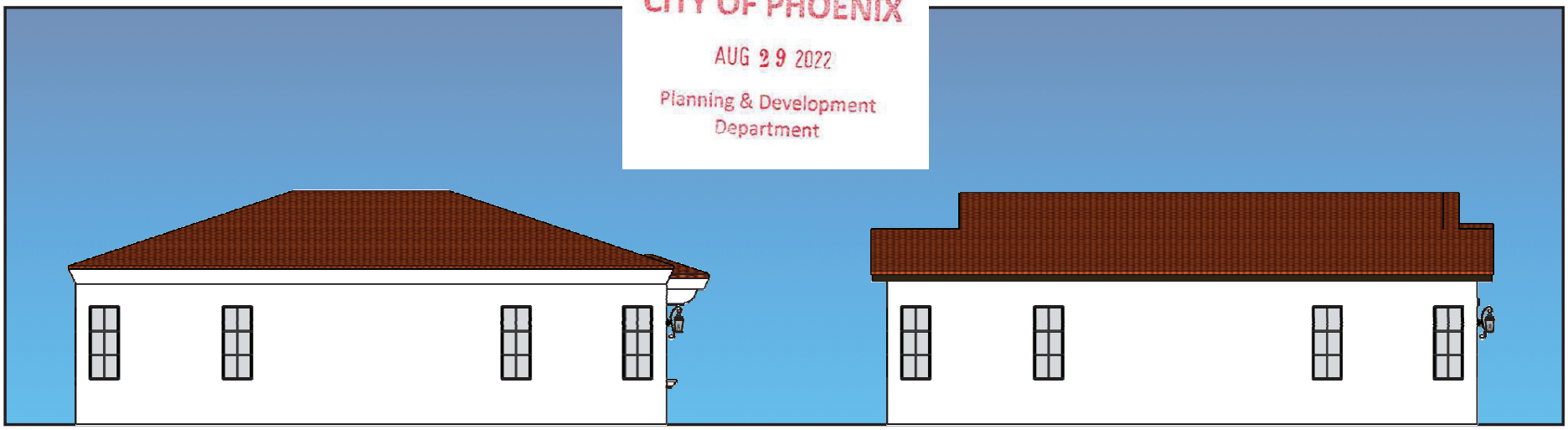


Rear Elevation

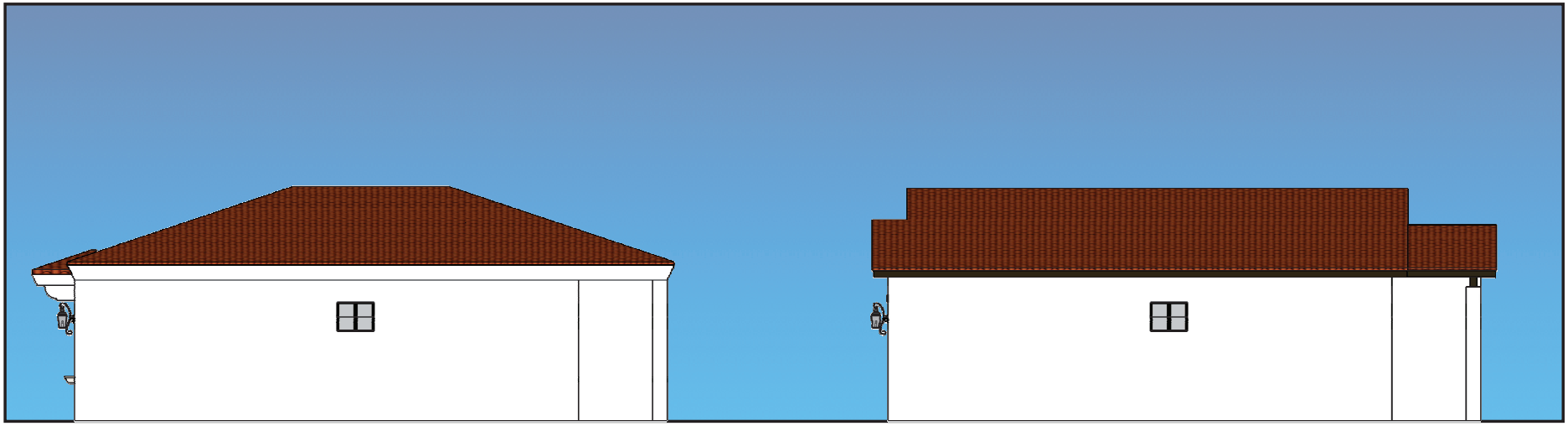
Bela Flor
COMMUNITIES
1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

Anthem 2

CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department



Left Elevation



Right Elevation

Bela Flor
COMMUNITIES
1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

Anthem 2C



Front Elevation

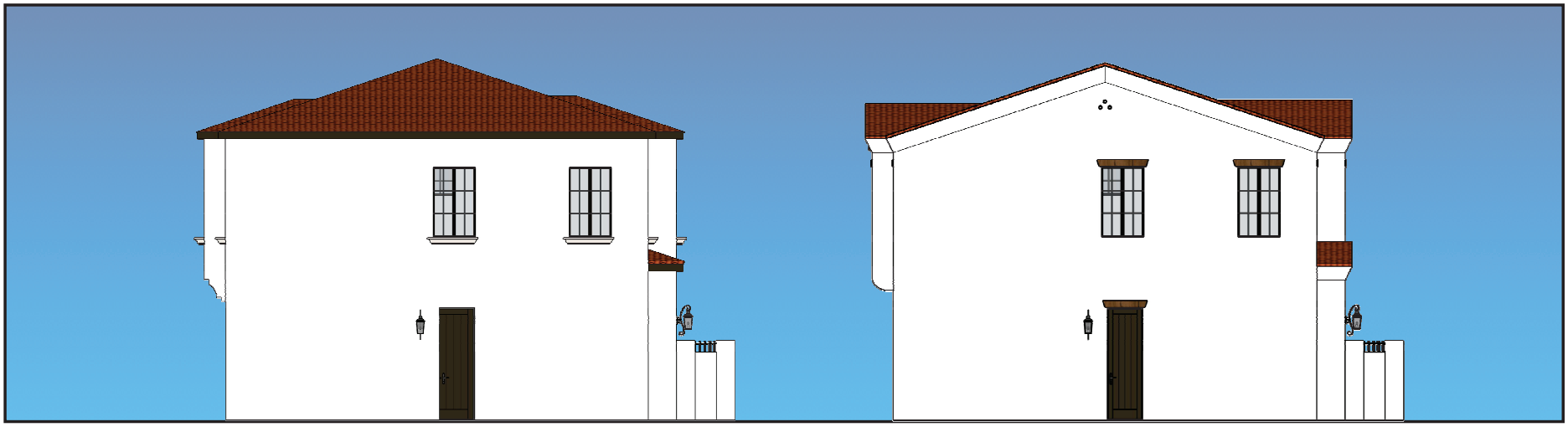
CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department



Rear Elevation

Bela Flor
COMMUNITIES
1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

Anthem 2C



Left Elevation

CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department

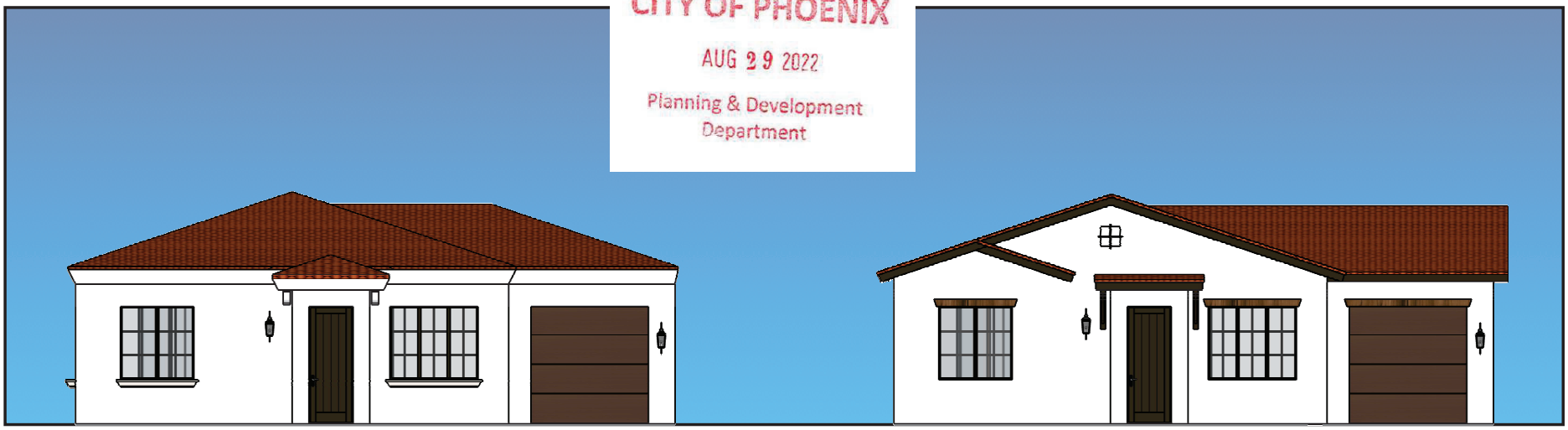


Right Elevation

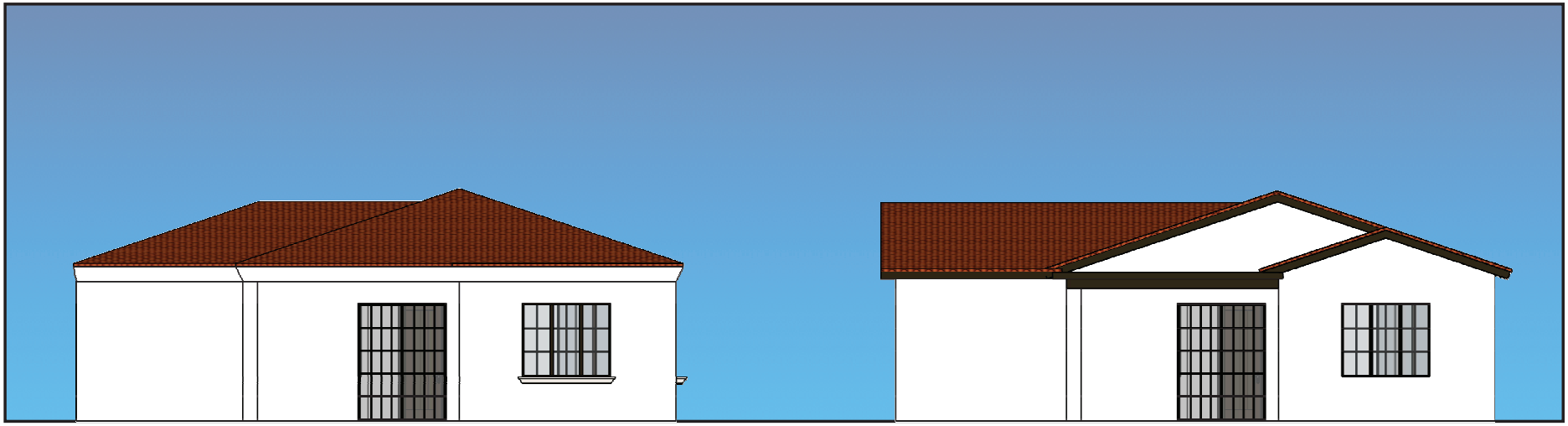
Bela Flor
COMMUNITIES
1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

Anthem 2G

CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department



Front Elevation

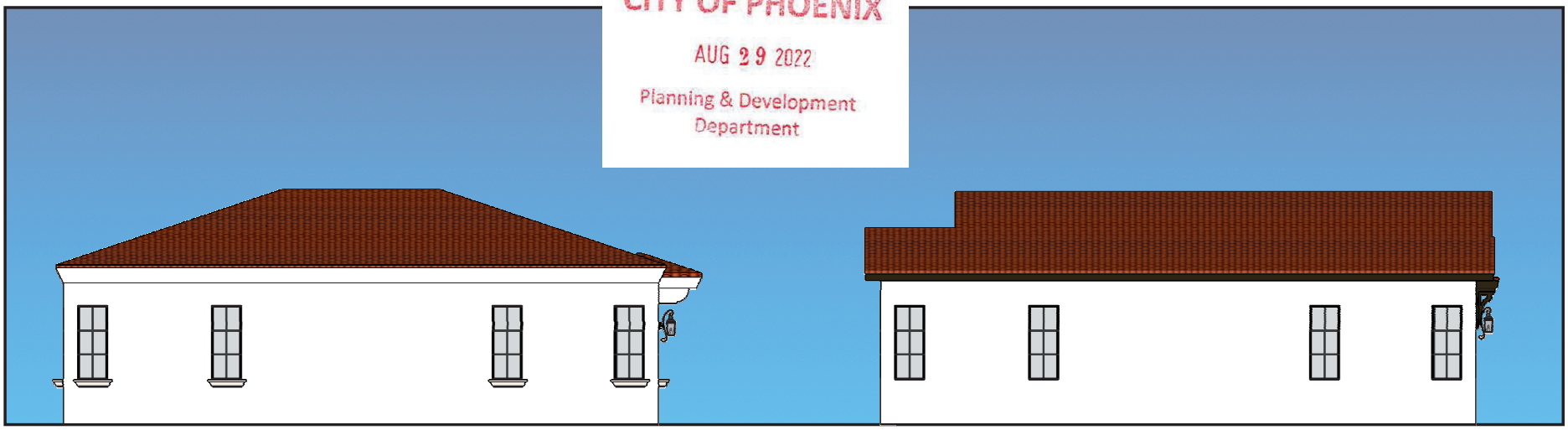


Rear Elevation

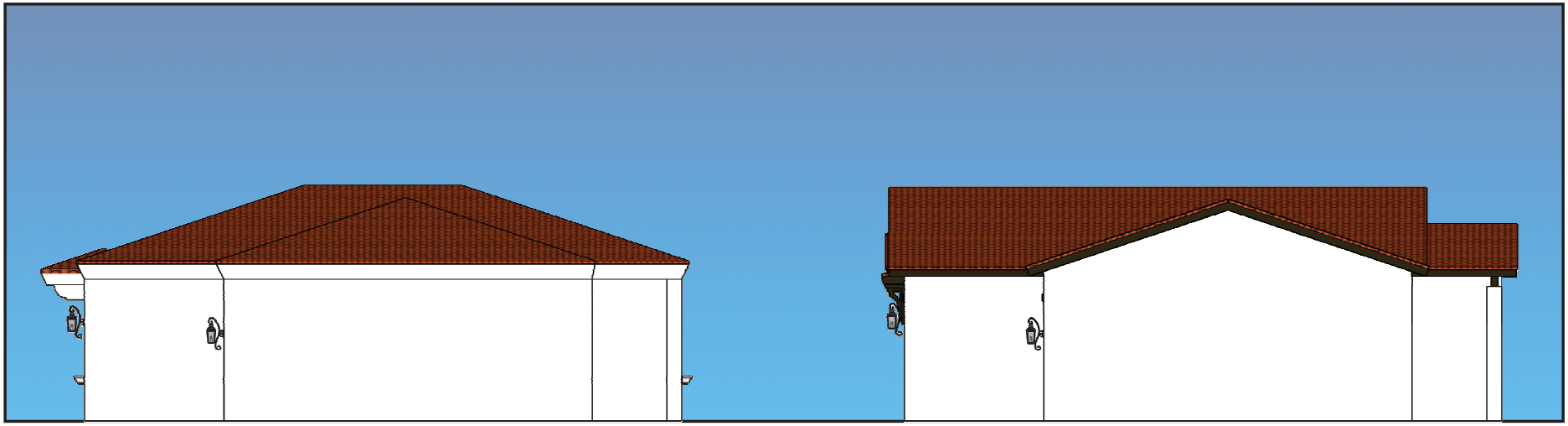
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Planning & Development
Department



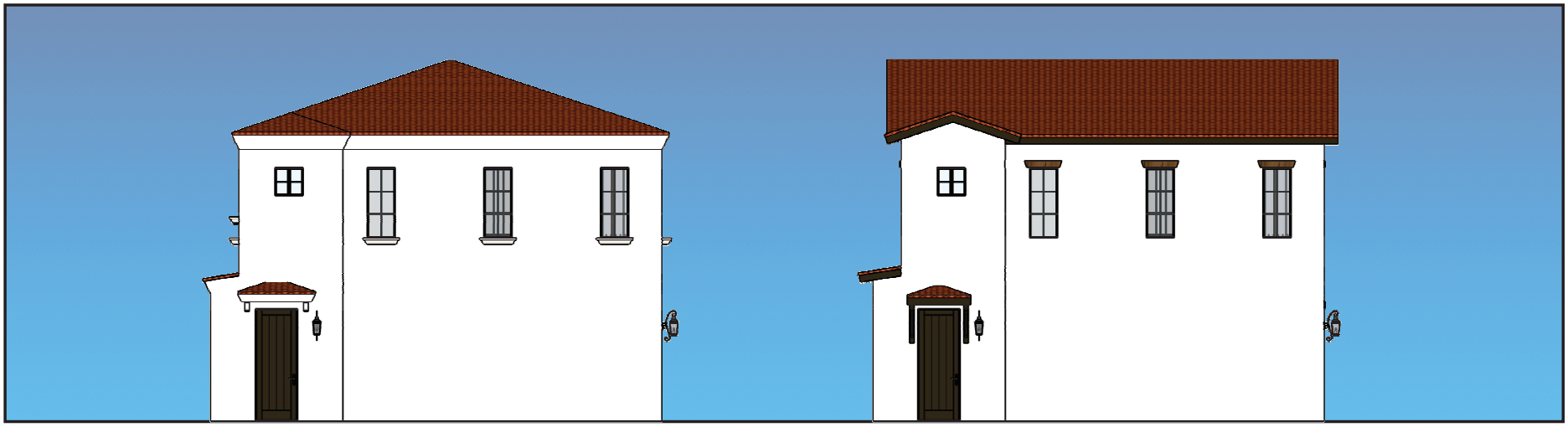
Left Elevation



Right Elevation

Bela Flor
COMMUNITIES
1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

Anthem 1C



Front Elevation

CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department



Rear Elevation

Bela Flor COMMUNITIES
1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

Anthem 1C

CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department



Left Elevation



Right Elevation

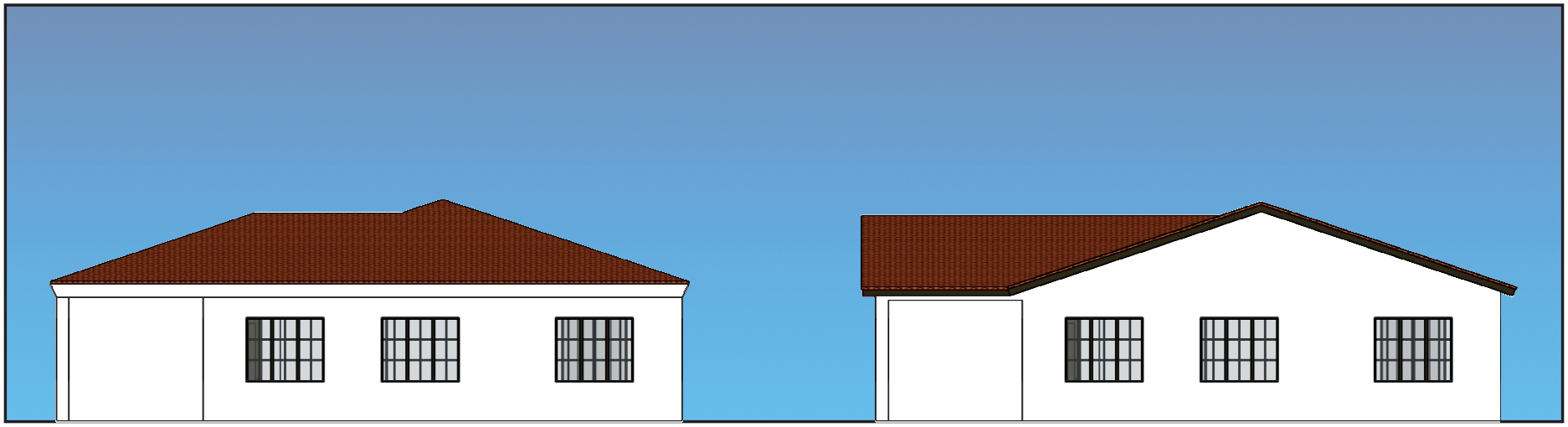
Bela Flor COMMUNITIES
1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

Anthem 3

CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department



Front Elevation



Rear Elevation

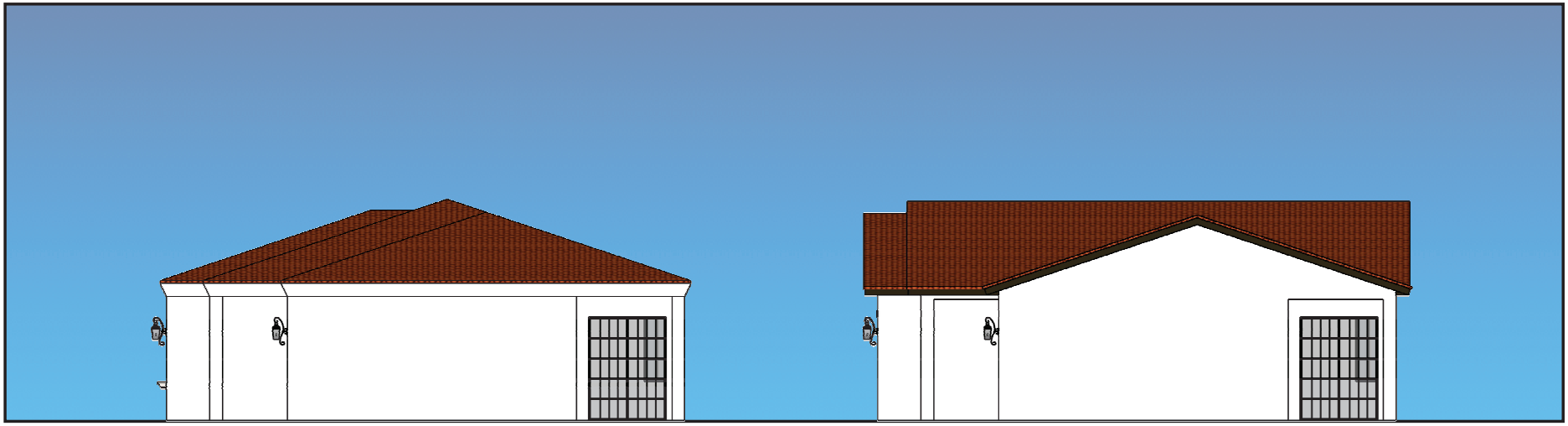
Bela Flor
COMMUNITIES
1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

Anthem 3

CITY OF PHOENIX
AUG 29 2022
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Department



Left Elevation



Right Elevation

Bela Flor
COMMUNITIES
1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

ANTHEM PHASE 1

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AUG 29 2022
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Bela Flor COMMUNITIES
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Mesa, Arizona 85205

Anthem 1

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1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

Anthem 2





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Bela Flor
COMMUNITIES
1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

Anthem 2C



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Bela Flor
COMMUNITIES
1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

Anthem 2G





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Department

Bela Flor
COMMUNITIES
1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

Anthem 1C

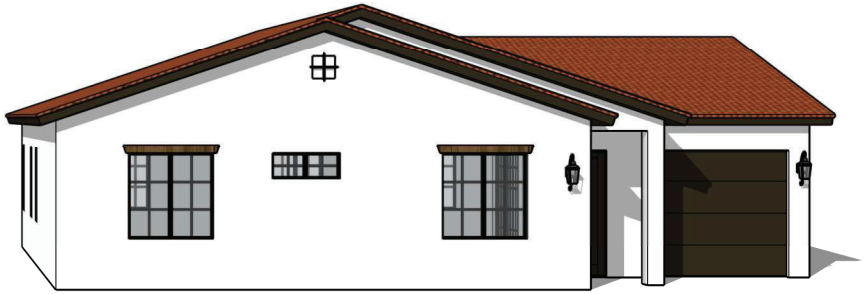


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AUG 29 2022
Planning & Development
Department

Bela Flor
COMMUNITIES
1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

Anthem 3

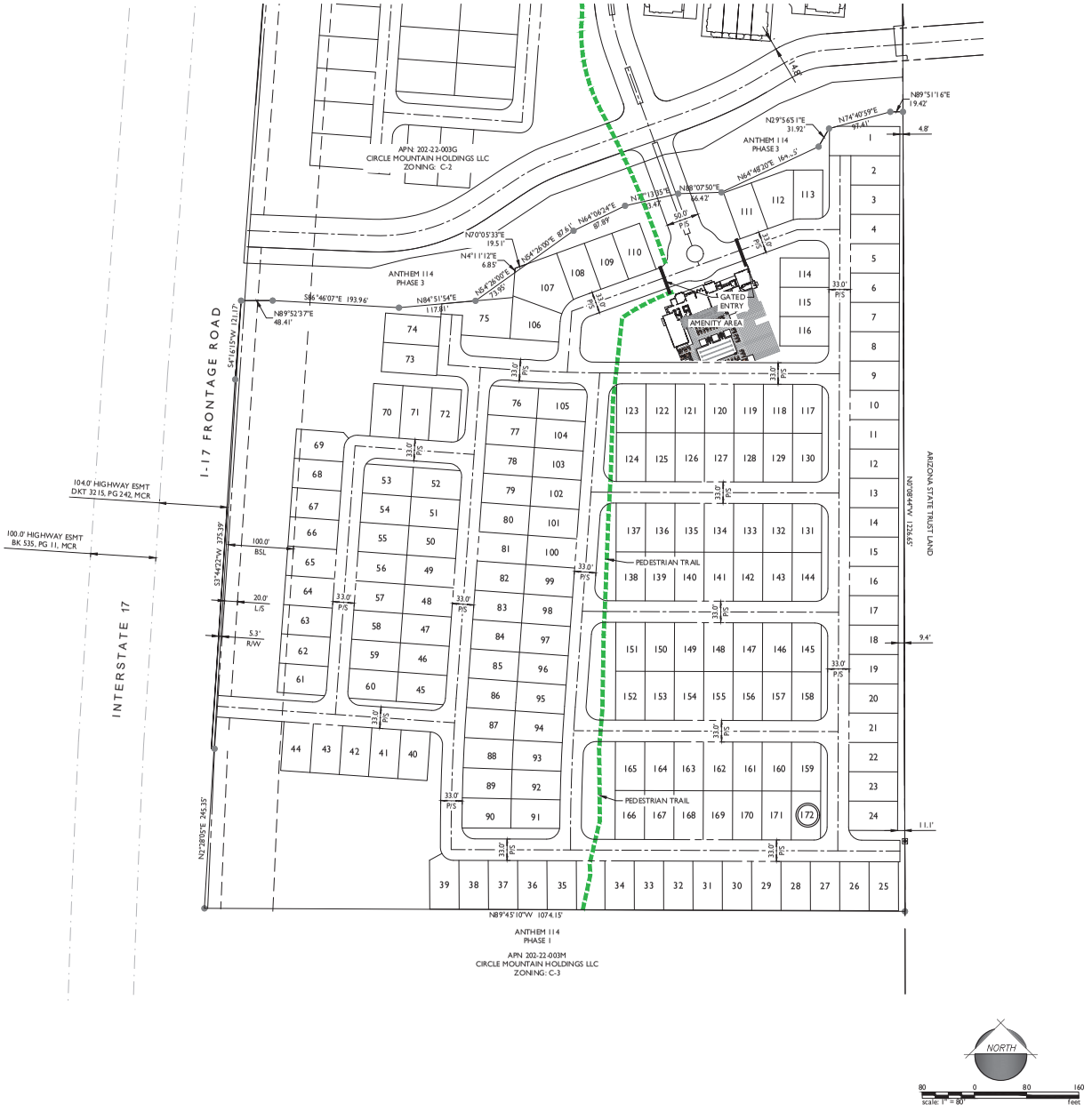




CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department

Bela Flor
COMMUNITIES
1635 N. Greenfield Road, Ste. 115
Mesa, Arizona 85205

20-1099 - Anthem 114

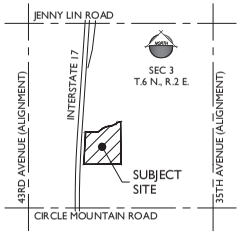


CONCEPTUAL SITE PLAN
FOR
ANTHEM 114 PROJECT 2

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 3,
TOWNSHIP 6 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER MERIDIAN,
NEW RIVER, MARICOPA COUNTY, ARIZONA

VICINITY MAP

N.T.S.



PROJECT TEAM

DEVELOPER:
BELLA FLOR COMMUNITIES
1635 N. GREENFIELD ROAD, STE. 115
MESA, AZ 85205
TEL: (480) 553-7236
CONTACT: HUDD HASSELL
hudd@belaflor.com

PLANNER, ENGINEER, AND LANDSCAPE ARCHITECT:
EPS GROUP, INC.
1130 N. ALMA SCHOOL ROAD, STE. 120
MESA, AZ 85210
TEL: (480-503-2250
CONTACT: BRENNAN MAHER
brennan.maher@epsgroupinc.com

PROJECT INFORMATION

A.P.N.	202-22-003L; 003D; 003J; 003K; 003F; A PORTION OF 003G
LOCATION:	NEC OF I-17 AND CIRCLE MOUNTAIN ROAD
ADDRESS:	44421 N BLACK CANYON HWY NEW RIVER, AZ 85087
CITY OF PHOENIX VILLAGE:	RIO VISTA
CURRENT LAND USE:	VACANT / NATURAL DESERT
EXISTING GENERAL PLAN:	COMMERCIAL
EXISTING ZONING:	C-2, S-1 AND RU-43
PROPOSED ZONING:	R-2 PRD
GROSS AREA:	+/- 26.43 ACRES
NET AREA:	+/- 24.78 ACRES
NO. OF LOTS: 45'x75'	172 LOTS
DENSITY:	6.9 DU/AC. (OF NET)
LOTS FOR SALE:	NO

PROJECT DESCRIPTION

THIS DEVELOPMENT PLAN CONSISTS OF A SINGLE-FAMILY RESIDENTIAL COMMUNITY CONTAINING 172 LOTS WITH A GROSS DENSITY OF 6.9 MULTI-FAMILY UNITS PER ACRE. THE DEVELOPMENT WILL BE BUILT IN ACCORDANCE WITH THE PLANNED RESIDENTIAL DEVELOPMENT OPTION WITH WATER, SEWER, ROADWAY AND DRAINAGE IMPROVEMENTS. THIS COMMUNITY WILL CONSIST OF PRIVATE STREETS, COMMON AREAS AND AMENITIES TO BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION.

DEVELOPMENT STANDARDS

THIS DEVELOPMENT WILL CONFORM WITH THE R-2 PRD PLANNED RESIDENTIAL DEVELOPMENT STANDARDS.

LEGEND

	FLOW ARROW
	FIRE HYDRANT
ESMT	EASEMENT
DKT	DOCKET
BK	BOOK
PG	PAGE
MCR	MARICOPA COUNTY RECORDS
P/S	PRIVATE STREET
R/W	RIGHT OF WAY
BSL	SETBACK LINE
MUT	MULTI-USE TRAIL
MUTE	MULTI-USE TRAIL EASEMENT
L/S	LANDSCAPE SETBACK

CITY OF PHOENIX
APR 13 2023
Planning & Development Department

EPS GROUP
1130 N. Alma School, Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m

Project: Anthem 114 Project 2
44421 N. Black Canyon Highway
New River, AZ

Conceptual Layout

Revisions:

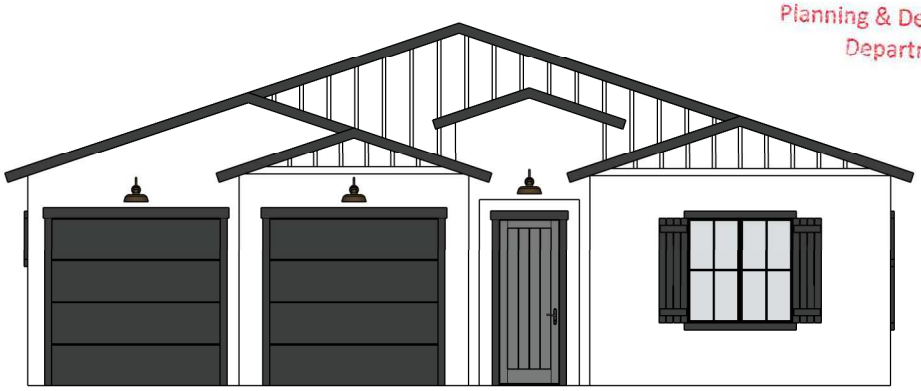
Designer: BM
Drawn by: JAJ

Preliminary Not For Construction Or Recording

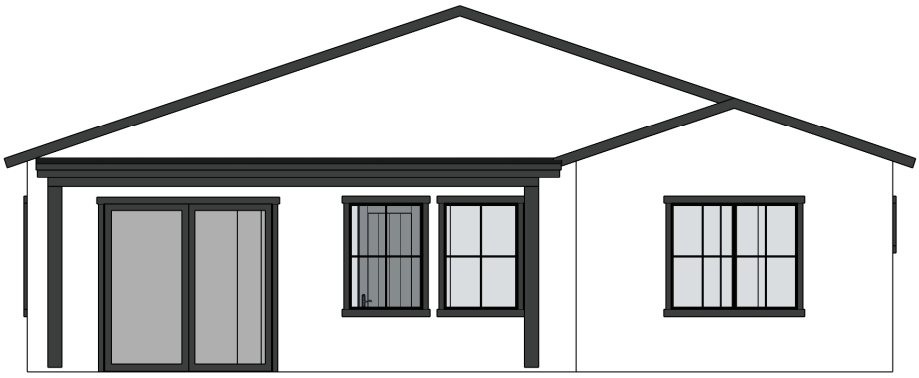
Job No. 20-1099
CONCEPT
Sheet No. 1 of 1

CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department

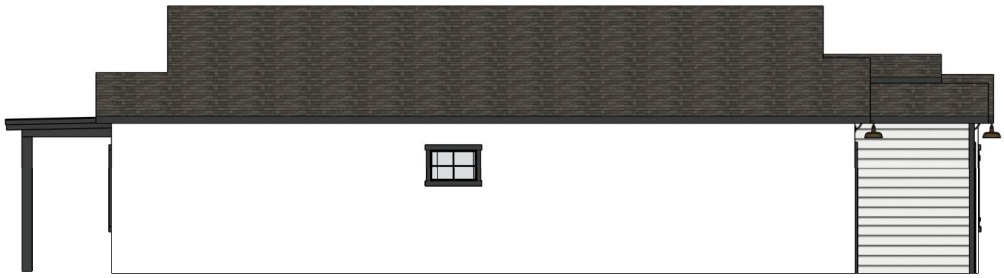
PLAN 1 - Elevation A



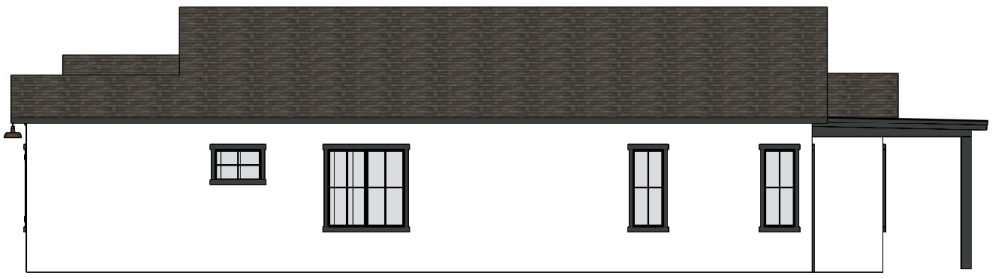
Front Elevation



Rear Elevation



Left Elevation



Right Elevation

CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department

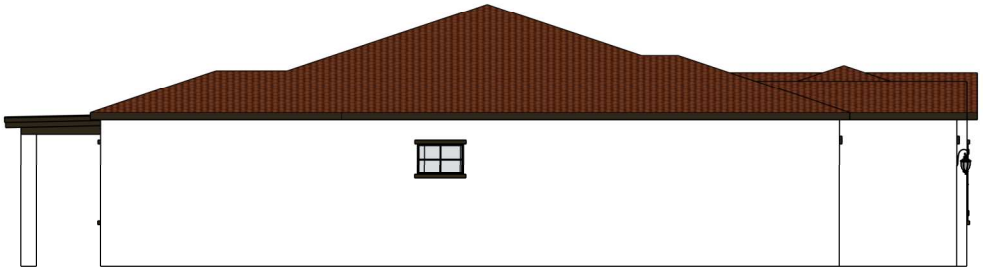
PLAN 1 - Elevation B



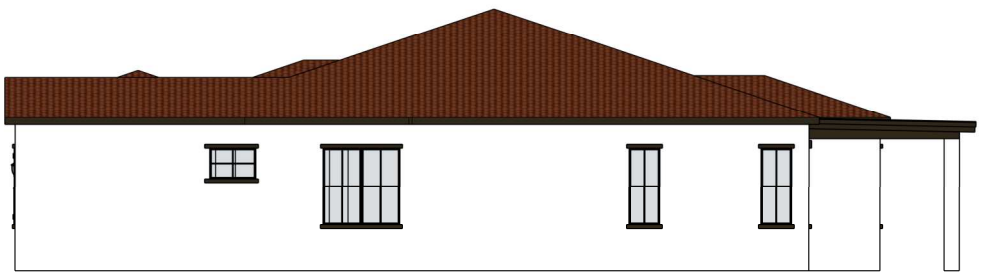
Front Elevation



Rear Elevation



Left Elevation



Right Elevation

PLAN 2 - Elevation A

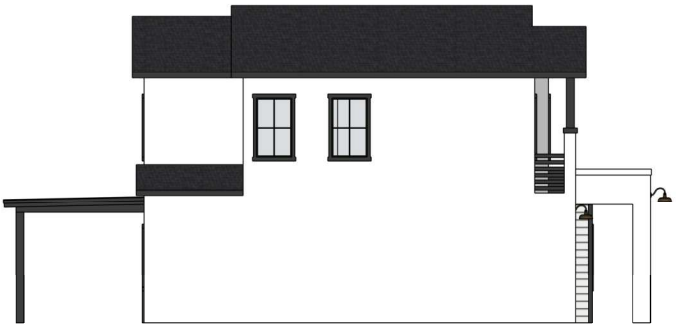


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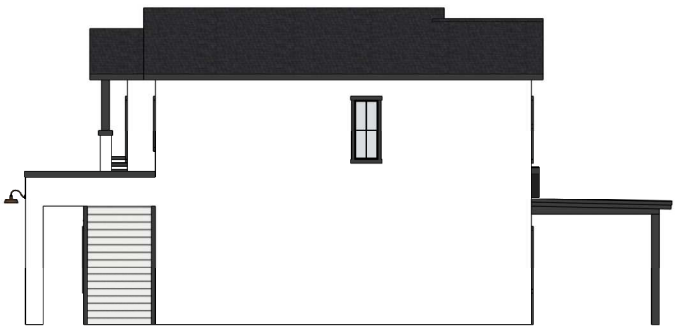


Rear Elevation

CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department



Left Elevation



Right Elevation

PLAN 2 - Elevation B

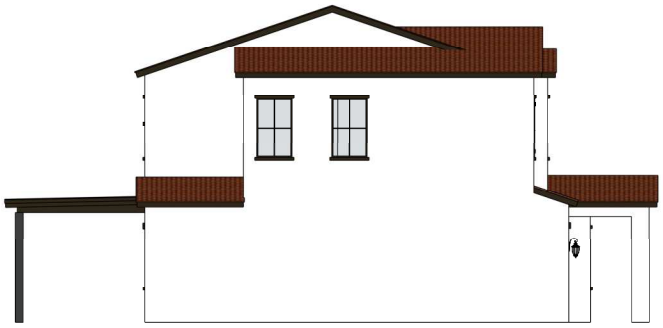


Front Elevation

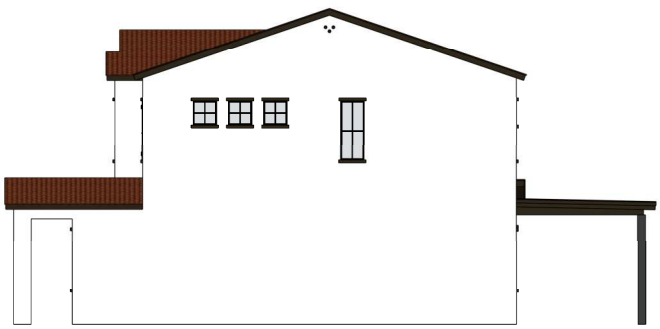
CITY OF PHOENIX
AUG 29 2022
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Department



Rear Elevation



Left Elevation



Right Elevation

PLAN 3- Elevation A



Front Elevation

CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department



Rear Elevation



Left Elevation



Right Elevation

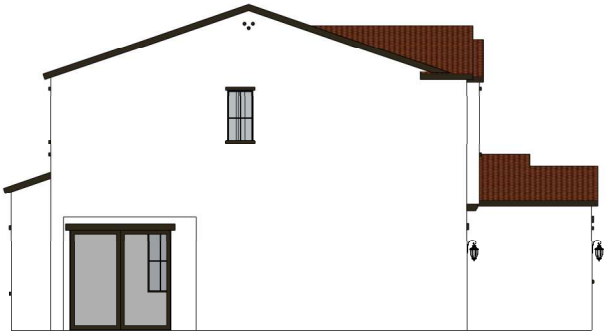
PLAN 3- Elevation B



Front Elevation



Rear Elevation



Left Elevation



Right Elevation

CITY OF PHOENIX
AUG 29 2022
Planning & Development Department

PLAN 4 - Elevation A



Front Elevation



Rear Elevation

CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department



Left Elevation



Right Elevation

PLAN 4 - Elevation B

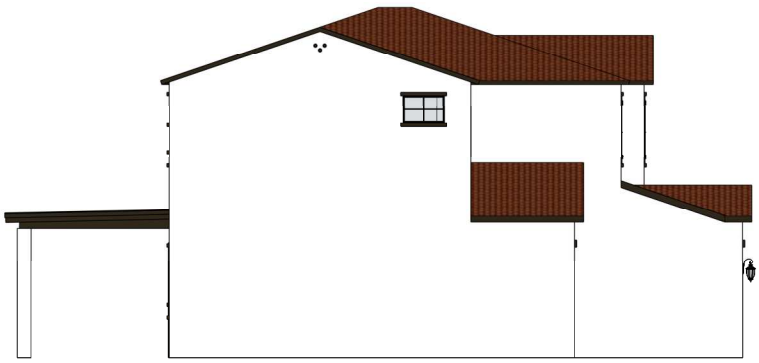


Front Elevation



Rear Elevation

CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department



Left Elevation



Right Elevation

PLAN 5 - Elevation A



Front Elevation



CITY OF PHOENIX
AUG 29 2022
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Department

Rear Elevation



Left Elevation



Right Elevation

PLAN 5 - Elevation B



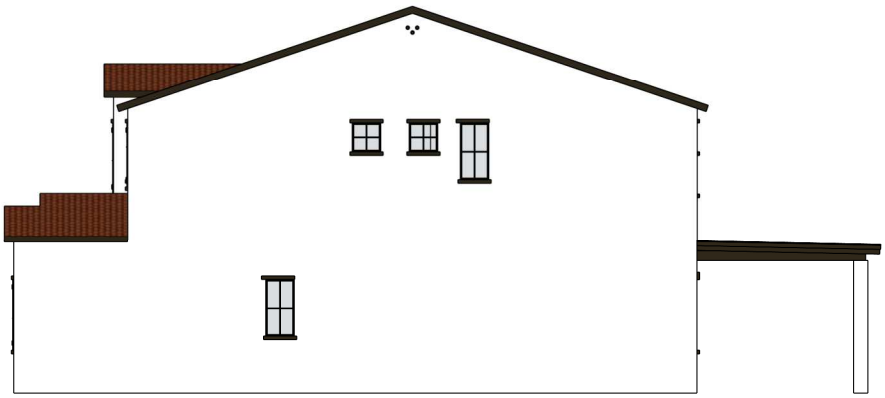
Front Elevation



Rear Elevation



Left Elevation



Right Elevation

CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department

ANTHEM PHASE 2 - HOMES

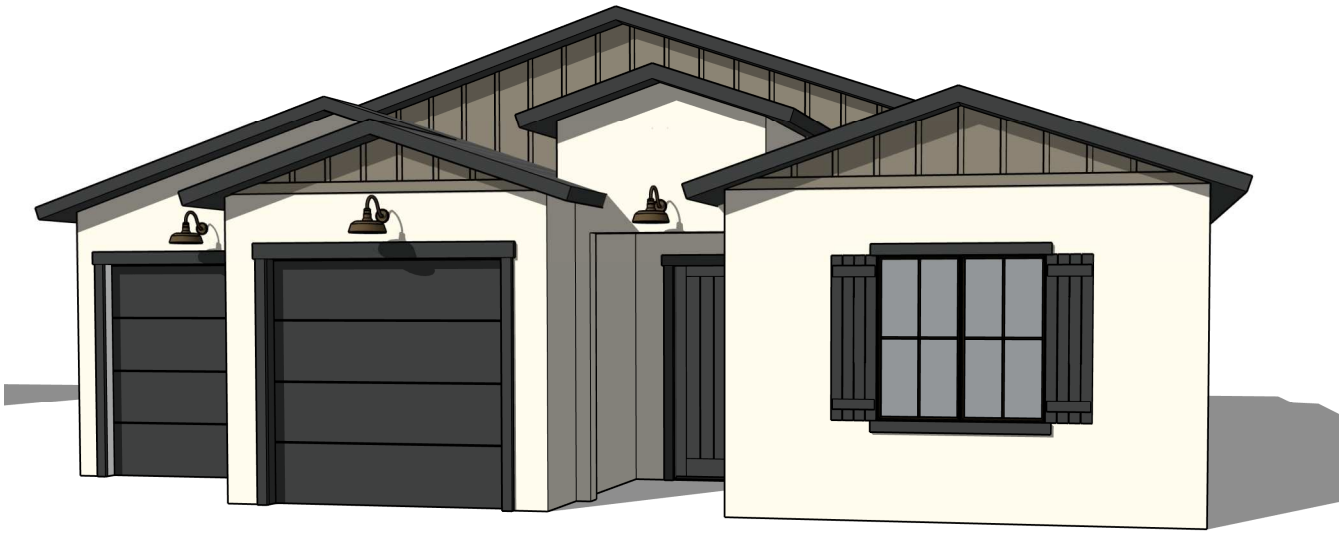
CITY OF PHOENIX
AUG 29 2022
Planning & Development
Department

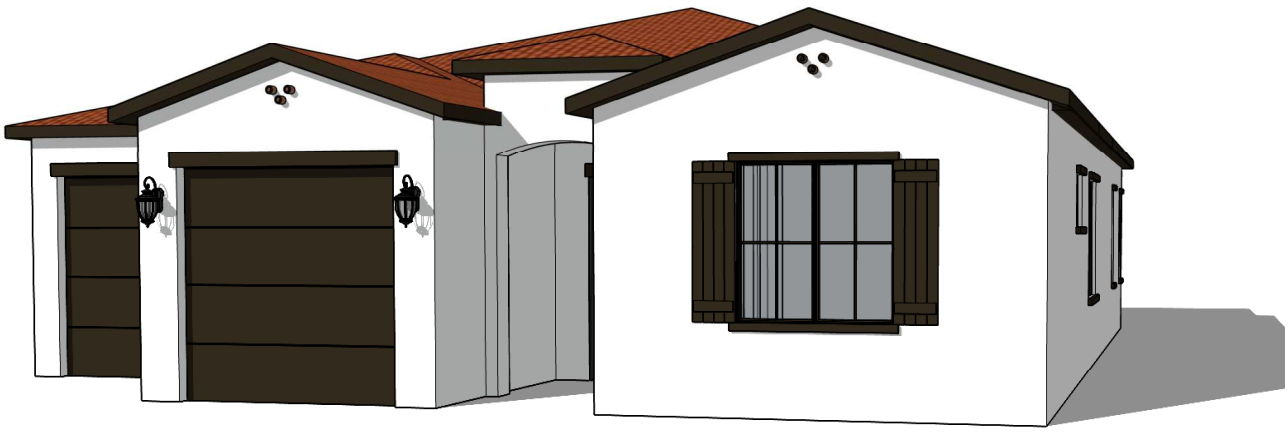




CITY OF PHOENIX
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PLAN 1 - 1615 SQ FT





PLAN 2 - 1654 SQ FT





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PLAN 3 - 2137 SQ FT





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PLAN 4 - 2140 SQ FT





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PLAN 5 - 2483 SQ FT





CITY OF PHOENIX

AUG 29 2022

Planning & Development
Department

From:	Tyler Estes
To:	adam@witheymorris.com
Cc:	Julianna Pierre
Subject:	Z-8-22-1 GPA-RV-1-22-1 questions
Date:	Sunday, March 6, 2022 11:38:01 AM

Good Morning!,

I received information about the proposed community on the I-17 frontage road and Circle Mountain Rd.

The developer is looking to rezone for residential, which I believe is the best usage for the land in question.

My primary suggestions for the developer and the City of Phoenix and the Rio Vista planning committee are as follows.

1. The first deals with traffic safety. You can see in the video that at night it is very hard to distinguish between vehicles on I-17 and the frontage road. The best solution for this would be to make Arroyo Norte Dr, Circle Mountain Drive, and any entrance to the proposed community be traffic Circles. This will slow down traffic and allow holigh volumes of residential and school traffic to access the frontage road where the potential for accidents are of much reduced energy.

https://photos.app.goo.gl/GrsEQVzuz4iEa9XQ8 [photos.app.goo.gl]

2. Widen the Frontage Road and create "Green Lanes". On the west side of I-17 the City of Phoenix recently widened 43rd Ave as well as Circle Mountain Road to include Green Lanes. This is following with the CoP plans to update roadways to be more bike and commuter friendly and safe. This provides a unique opportunity for the CoP and ADOT to collaborate together for my 3rd suggestion.

3. Span I-17 and Circle Mountain Rd with a pedestrian bridge. This will provide a multifaceted solution to a host of issues plaguing this section of I-17 and the congestion that is steadily building on the Anthem Way and I-17 overpass.

As the developer knows accessing the properties along the I-17 frontage road in this area is cumbersome and will become increasingly congested and dangerous. A K-12 school is presently being built on Arroyo Norte Drive and the Frontage Rd, as well as a 170 unit apartment complex, and 70 additional single family units are also being built on Aroyo Norte Dr. When the new development is also added it will create even more traffic.

I have been mulling over this issue for the last several years and I believe a pedestrian bridge at Circle Mountain is the best solution to solve a lot of problems.

A. Reduce K-12 traffic in the morning and afternoon for both Great Hearts Academy, Caurus Academy, and Canyon Springs for both the frontage road and 43rd Ave. Many students live on the opposite side of the I-17 in relation to their school. A pedestrian bridge would provide a path for walkers and bike riders to access their campus safely. Thereby alleviating the number of vehicle crossing Anthem Way and I-17.

B. Decrease retail traffic along the frontage Road, Navigation Way, Anthem Way, and 43rd Ave. As the developer knows there is increased market demand for communities that have easy access to retail and entertainment. Building the pedestrian bridge would give the east side residents of the proposed community, as well as Anthem Residents, a safe path to access retail and entertainment on the westside of the I-17. This includes Goodwill, The Anthems Outlets, Walmart, and many other small businesses and restaurants.

C. Sometimes I-17 backs up and traffic overflows onto the Frontage Rd blocking any traffic moving along the frontage road. A pedestrian bridge will allow retail access to residents in this area during such an event. Also there has been a lot of concerns expressed by members of the community on both sides of I-17 that there are not enough roads to evacuate residents in an emergency. A pedestrian bridge would give an additional escape route from the east to the west or the west to the east in the slim chance of a catastrophic wildfire.

https://photos.app.goo.gl/rsNgbE1cfHyRiJ259 [photos.app.goo.gl]

https://azdot.gov/adot-blog/new-bicyclepedestrian-bridge-open-chandler [azdot.gov]

For the pedestrian what is the process to get such an idea up for consideration?

Thank you for your time.

Phoenix City Councilmembers
Phoenix City Hall
200 W. Washington Street
Phoenix, AZ 85003

Re: Anthem 114 Development - GPA Case No: GPA-RV-1-22-1, Case No: 2-8-22-1

April 24, 2023

Dear City of Phoenix Councilmembers and Rio Vista Village Planning Committee:

I am sending this letter in regard to the housing development project along the I-17 frontage road between Anthem and New River (identified in the November 16th formal city council meeting as #45 for the Proposed I-17 and Jenny Lin Road Annexation Public Hearing with Case No: 2-8-22-1). Although this project may be viewed on the outskirts, in reality it is a regional transportation and recreation connection between the communities of New River and Anthem.

1. **A perimeter pathway around the project site is necessary to ensure connectivity between New River and Anthem, as well as to ensure public access to Daisy Mountain is protected.** The New River/Desert Hills Area Plan shows future trail connections planned from this area east into Daisy Mountain. The Friends of Daisy Mountain Trails also have a planned trail connection into Tonto National Forest.

   All communities deserve active transportation options including rural communities. Anthem is a high kid-density area and safe pathways for bicycle and pedestrian travel are necessary. Biking is in the top 3 for adult outdoor recreation activities nationwide and it is the #1 outdoor activity for kids under 15 nationwide. The pathway is needed to support active transportation and recreation opportunities and provide a safe environment.

   Approximately 64% of Maricopa County is obese or overweight according to the 2020 Maricopa Association of Governments Active Transportation Plan. In addition, mental health effects are becoming more prevalent among youth as discussed in the 2021 U.S. Surgeon Generals Advisory on Youth Mental Health. The pathway would help to provide a safe place for people to exercise as well as provide a connection to Daisy Mountain where hiking, picnicking, and escaping to the natural environment is possible. In addition to physical benefits, there are mental health benefits associated with spending time in nature as well.

   It is essential when creating a built environment that the design includes safe places for those interested in active transportation and recreation to participate. There have been many fatalities due to excluding active transportation options. We believe the addition on a perimeter path for this project would help provide for a safer regional transportation and recreation connection.

In addition, with increased active transportation options there would be economic benefits to both the New River businesses to the north and Anthem businesses to the south due to the increased and existing populations. As a portion of the site is changing from commercial to residential, it makes sense to provide current businesses in the area with another way for people to reach them.

A perimeter pathway is necessary to ensure active transportation options for residents of the area and to protect a regional connection, as well as public access to Daisy Mountain. Rural communities deserve active transportation options too.

2. **Bike lanes should be added to the frontage road.**

As e-bikes increase in popularity and create the opportunity for people to travel much further we need to have the infrastructure in place to be able to best accommodate them and provide a safe environment for all roadway users. Some bicyclists prefer to be on the road and travel at high speeds (even without a motor) and bike lanes could support the infrastructure for them as well as e-bike users.

3. **Road lanes need to be reviewed for an emergency during a wildlife or other event.**

Another concern is if a wildfire occurred to the north, people in New River would use the I-17 and frontage road along this project site to go south. Due to the increased population, as well as to ensure egress during an emergency, the frontage road may need to be widened or lanes added. One consideration is developing the pathway to standards that would allow emergency vehicles to use them and bypass traffic in case of an emergency.

4. **Protect dark skies.**

Another concern is the impact of light pollution on the dark skies in the New River area. We request the project as well as others in the area use certain design features to reduce light impacts onto neighboring communities. With just one social media post, twenty-one community members have signed up to protect dark skies in New River.

5. **Protect scenic views.**

The project area is in a Scenic Corridor, so views of Daisy Mountain and Gavilan Peak in particular should be protected. The I-17 Scenic Corridor Overlay was adopted in 1999 and the Scenic Corridor extends from Carefree Highway north to Yavapai County. The designation was established to preserve environmentally sensitive land areas and view corridors, and encourage innovative and sensitive planning and quality design.

The Maricopa County New River/Desert Hills Area Plan should be referenced to ensure that any protections this site was granted being in Maricopa County still apply (such as the scenic corridor). Even if the Maricopa County parcel is not annexed, we ask that the City of Phoenix still review and accommodate the intended goals of the New River/Desert Hills Area Plan as this site is adjacent to county land.

In particular, protection of the viewshed including Daisy Mountain and Gavilan Peak is essential. One concern with the annexation of the Maricopa County area is that the protection of these viewsheds may not occur.

6. **Protect public access to lands accessible to the public and develop a trailhead parking area to help provide adequate and safe access to Daisy Mountain.**

   The additional of a perimeter path would help to provide access to Daisy Mountain as well as thousands of acres of Arizona State Land (where a low-cost permit can be obtained) and eventually to Tonto National Forest. The pathway would also help provide access to the Maricopa Trail, a 315-mile loop that would provide access to the entire Phoenix metropolitan area. This connection is especially critical for those in west New River who would be essentially cut off without this connection.

   The trailhead parking area is important as the development will being in many new residents and expose more people to Daisy Mountain. The City of Phoenix has seen challenges with inadequate parking and public access for the mountain preserves. The trailhead parking area would help to ensure adequate parking is available for the community.

7. **Transition of density from higher density near the Anthem area to lower density near New River.**

   One concern heard from residents in New River is the stark contrast that could exist if development is high density as it approaches New River. We ask you to consider a transition of density as residents in the area have expressed this concern.

8. **Maintain the existing commercial portion of the property instead of have only residential homes.**

   With more people moving into the area, it will create more use on existing shopping and retail areas, so the commercial portion of the project should remain as such to provide adequate commercial services to people in the area.

9. **Do not allow a portion of the site to be for the construction of single-family homes in rent for perpetuity.**

Homes should be available for sale to the general public, not available for rent. It makes sense in apartment complexes where there may be more communal aspects of the development such as sharing building and maintenance expenses associated with the building structure. The single family homes should be available for purchase or we are going to continue to see a lack of affordable housing in the area.

One of the main concerns is that if a pathway is not developed with this project along the frontage road, it will never happen and that regional transportation and recreation connection would be lost. Although New River may seem outside of town, there have been people living here since the late 1800's and the area is continuing to grow. There has been a 16 percent increase in population from 2010 to 2020 and the area is expected to grow even more with the addition of the new TSMC factory in the North Valley.

I ask that you listen to these concerns and incorporate these suggestions for the project as it moves forward in the development process.

As part of the annexation of Maricopa County we ask that all Maricopa County Plans are reviewed and incorporated in the project design, that design features reduce light and visual impacts, and that the project supports active transportation by providing regional connectivity with the addition of a perimeter path.

Please do not hesitate to contact me with any questions or concerns. I am also be available to meeting in-person to discuss these concerns.

Thank you,



Eileen Baden, AICP

eileenbaden@gmail.com

908-797-9727

Past President, Arizona Association of Environmental Professionals

Advisory Board Member, School of Geographical Sciences and Urban Planning at ASU

Board Member, Friends of Daisy Mountain Trails

From:	Adrian G Zambrano
To:	Adrian G Zambrano
Subject:	2023-04-25 - Opposition - Cheryl Wright
Date:	Tuesday, April 25, 2023 9:35:51 AM

From: cheryl wright <cherylwright11@gmail.com>
Sent: Tuesday, April 25, 2023 9:00 AM
To: PDD Long Range Planning <pdd.longrange@phoenix.gov>
Subject: Zoning

April 24, 2023
Phoenix Planning and Development
Attn: Zoning Counter
200 West Washington Street, 2nd floor
Phoenix, AZ 85003
Dear City of Phoenix Zoning,
I am a New River / Desert Hills community resident and ***writing to strongly oppose* the re-zoning initiative**: GPA Case No: GPA-RV-122-1, Case Z-8-22-1 on Circle Mountain Rd, and SE corner of I-17 and Jenny Lin Rd.
This area has in place existing zoning for single-family residential acreage parcels. Multi-family dwellings would destroy the fabric of the environment and community. You do not have my support for such new development.
Sincerely,
Cheryl Wright

At 500 signatures, this petition is more likely to be **featured in recommendations!**

change.org

Petition details Comments Updates



Petition to deny Z-8-22-1 & GPA-RV-1 the request to rezone land at Jenny Lin Rd. E of I-17

214 have signed. Let's get to 500!

At 500 signatures, this petition is more likely to be **featured in recommendations!**



Laurie Ricci started this petition to Rio Vista Village Planner Julianna Pierre

Please sign this petition asking the city of Phoenix to deny this zoning change. Protect our rural lifestyle.

Property

Sign this petition

At 500 signatures, this petition is more likely to be **featured in recommendations!**

The Property's General Plan land use designation is both Commercial and Residential 3.5 to 5.

To the north of the Property is Jenny Line Road, and then wildcat county properties zoned RU-43; to the east is vacant State Land; to the west is the I-17 freeway and then homes zoned R1-6; and to the south is Circle Mountain Road, then an outdoor storage facility (zoned C-3 and C-2 in the City of Phoenix, and County lands zoned RU-43).
Rezoning and General Plan Amendment Requests
Z-8-22-1

The applicant seeks to rezone the Property from S-1 (9 acres), C-2 and C-3 (90.8 acres), and RU-43 County (14.7 acres) to R-2 (66.51 acres), R-3 (32.07 acres) and R-3A (20.5 acres) for the development of a new, master planned residential community that includes a mix of single-family homes for sale and rental communities.

GPA-RV-1-22-1

A General Plan Amendment is filed as a companion case with this request. The General Plan Amendment proposes a change from Commercial and Residential (3.5 to 5 du/ac) to Residential (10 to 15 du/ac), Residential (15 + du/acre), and Residential (5 to 10 du/acre).
Applicant's Representative
If you have any questions about the request, you may also reach Adam Baugh at Withey Morris, PLC at adam@witheymorris.com or 602-230-0600.

You may also submit a comment or questions at the Contact Us page.
City of Phoenix Staff
The Rio Vista Village Planner assigned to this case is Julianna Pierre, who may be reached at 602-534-5829 or julianna.pierre@phoenix.gov. Ms. Pierre will be able to answer your questions regarding the city review and hearing process and, once it is completed, the staff position on the request.

You may also write the city at Phoenix Planning & Development Department, 200 West Washington Street, 2nd Floor, Phoenix, Arizona 85003. Please be sure to reference the rezoning case numbers so your comments may be included in the case files.
Virtual Neighborhood Meeting
We are holding a virtual neighborhood meeting to discuss the rezoning and general plan amendment proposal on March 17, 2022 at 5:30 p.m.

We will make a live presentation via web conference during which we will describe the application and requests. After the presentation, participants will be able to submit questions the development team will answer via live webcam.

To participate in the meeting, please email Hannah Bleam at hannah@witheymorris.com and request a link

At 500 signatures, this petition is more likely to be **featured in recommendations!**

Start a petition of your own

This petition starter stood up and took action. Will you do the same?

Updates

Meeting link for today!

‼️New Master Planned Community‼️Community meeting details for later today! 5:30pm. Please find the zoom information for today's virtual neighborhood meeting beginning at 5:30pm regarding the Circle Mountain/I-17 rezoning and general plan amendment: Zoom link: https://us02web.zoom.us/j/82392882168?...



Laurie Ricci

1 year ago

More updates

Reasons for signing

Richard Zimmerman · 1 year ago

I live in the area and the city and county should stick with the general area plan, not choose to pander to a developers greed.
Anthem is 5 homes per acre on the high side, new River is 1 home per acre. Hoe could it be harmonious to allow a developer to 15 + dwelling units per ... **Read more**

♡ 2 · Report

Van Hostetler · 1 year ago

Simple.
This does not improve our great, balanced community.

At 500 signatures, this petition is more likely to be **featured in recommendations!**

View all reasons for signing

Petitions promoted by other Change.org users

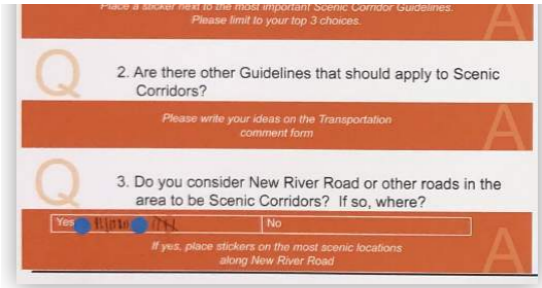
From: Eileen Baden
To: Adrian G Zambrano
Subject: New River Daisy Mountain Area Plan
Date: Saturday, May 6, 2023 9:47:19 PM
Attachments: image.png
image.png

Hi Adrian,

Have you had a chance to skim the New River Daisy Mountain Area Plan?

https://www.maricopa.gov/DocumentCenter/View/56744/Daisy-Mountain---New-River-Area-Plan-compressed [maricopa.gov]

This is from page 22:



Resident responses to Transportation questions at Workshop II



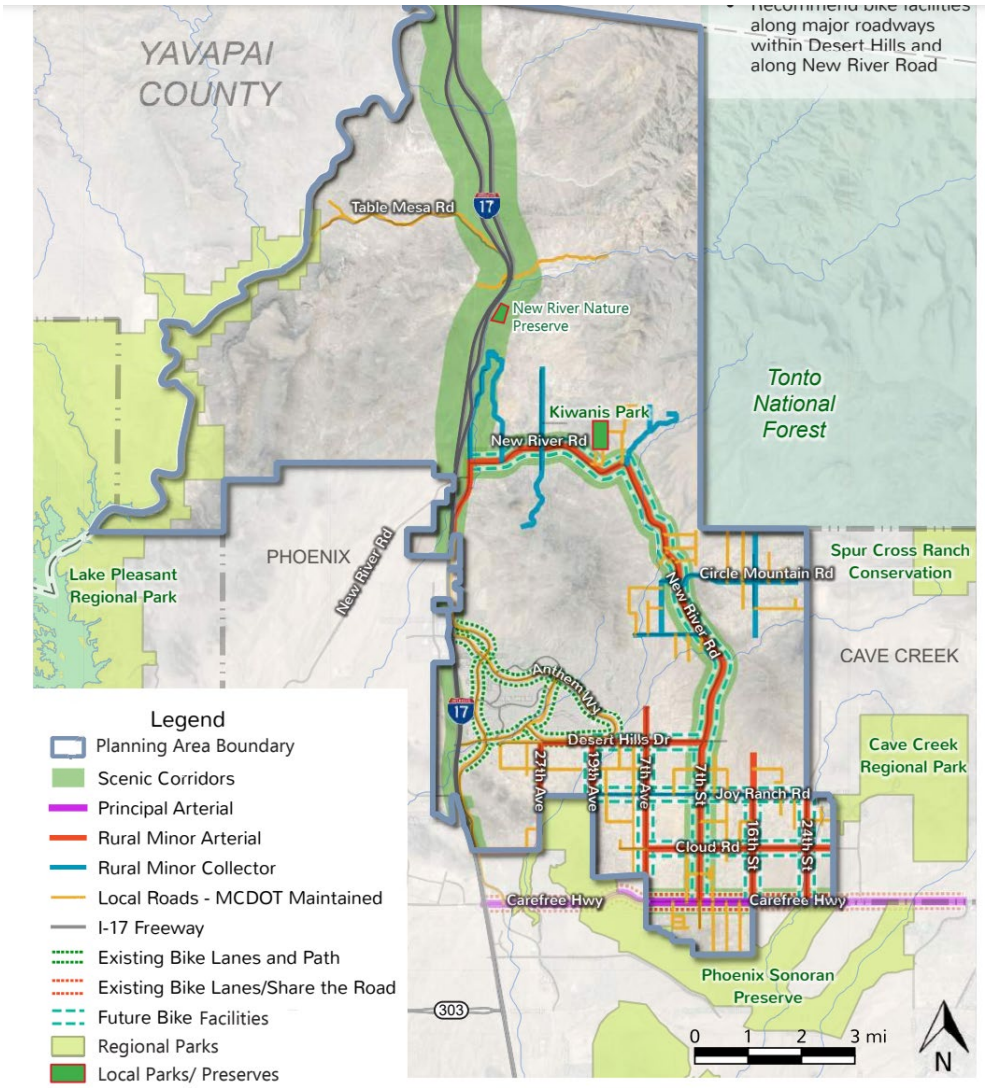
Summary of Community Issues

1. New River Road should be a Scenic Corridor
2. Perception that Scenic Corridor design guidelines are not enforced nor respected by development
3. Unpaved roads are the primary source of dust
4. Bike lanes, detached trails and wide shoulders are desired by residents

Q & A RESULTS

- 70% of respondents consider New River Road to be a Scenic Corridor
- The top three Scenic Corridor guidelines most important to respondents are:
  - o Preserve existing vegetation and re-vegetate with native plants where necessary
  - o Low impact development techniques in site design
  - o Discourage off-site advertising signs (billboards)
- Bike lanes are the most desired form of shared use paths/trails
- Most common desired locations for bike lanes:
  - o New River Road
  - o 7th Avenue
  - o Circle Mountain Road
  - o I-17 Frontage Road

Also, the land use map below (page 11) here shows a future trail along New River Road, and I would love to see that connection made for the Rio Vista Planning Committee so the pathway can continue west on the northside, offset from New River Road (similar to the Sonoran Desert Parkway). Another example I've sent you is the River Mountains Loop Trail - Lake Mead National Recreation Area (U.S. National Park Service) (nps.gov) [nps.gov]. The DG or paved pathway makes it more accessible to those of all ages and abilities (and the view north iis still pristine desert, making this the perfect place for this path). I recently attended a meeting with Supervisor Gates and he seemed to agree that the pathway was necessary for a regional connection between Anthem and New River as it's a long way around Daisy Mountain.



Thank you,
--
Eileen Baden, AICP

908-797-9727
eileenbaden@gmail.com

From:	H B
To:	Adrian G Zambrano
Cc:	Joshua Bednarek
Subject:	Re: Proposed "Master Planned Community"- Anthem/New River
Date:	Tuesday, May 9, 2023 2:28:43 PM

Hi Adrian and Joshua,
I'm incredibly frustrated that you're still moving forward with the Proposed Master Planned Community off the Frontage Road.
No matter how many letters or meetings myself and my neighbors send/have you all seem to not listen.

I have three questions for tonight's meeting:
1 - Is there a zoom link?
2 - What are the total number of homes AND apartments (individual apts) proposed (including phase III?
3 - I heard a possible rumor of the Frontage Road becoming a one way???
Please confirm.
If this is even a consideration - of all the terrible build ideas you're discussing in our area - this has to be the worst idea! Please tell me this is untrue.

Here are my concerns with the Proposed Master Planned Community. I will continue to voice my concerns!

You tell me where, in Arizona, that there is a Frontage Road (with no other street access - back streets, side streets, etc), that has a high traffic school, multiple home sites, already flowing traffic, AND a "Master Planned Community"???
You can't! Because it's impractical and unsafe!
All the neighborhoods that live off the Frontage Road as well as all the school children/parents - have ONE STREET to enter and exit.
Phoenix Frontage Roads at least have other streets that they can detour and drive through if the Frontage Road is full. WE DON'T HAVE THAT!!
I know you all don't care because you either don't know the area, don't live in the area, or won't be impacted. But this WILL CAUSE SAFETY HAZARDS!!
I take pictures EVERYTIME the Frontage Road is backed up. An average housrhold has 2 cars. Your projections of Homes and. Apartments will lead to an additional. Cars on the Frontage Road. This is absurd and again UNSAFE! You will be causing traffic congestion. You tried this before. You NEED to listen to the neighbors! Not just let it go in one ear and out the other.
I don't understand why you're insistant on unnecessarily cramming too many homes in one area. There is NO reason you can't build 1/2 acre to 1 acre lots there.
I'm not trying to be unreasonable and say don't build. But DO NOT put a massive amount of homes off a single Frontage Road. We've had accidents and emergencies in the past which have caused the Frontage Road to close for hours (leaving all residents unable to go to their homes).
Once these are built, you can't just tear them down if you find that you screwed up. If you build these and the Frontage Road is bumper to bumper (unsafe traffic congestion), then what???? You all just turn your head and say oh - at least we made money - sucks to be them. Then we're stuck in it. It will never go back, it will never get better. Traffic is already increasing. We're land locked - meaning - We don't have options for the possibility of future

expansion of the Frontage Road. So because of that reason - that's why I'm so passionate about this! This decision can destroy the area and again (I'm going to keep bringing this up) cause unsafe conditions for all the school children and everyone who lives off the Frontage Road. I've tried to go to every meeting to fight this and I will continue as well.
Please make the right decision and do NOT build this proposed "Master Planned Community" off the Frontage Road.

Thank you,
Harmony Brown
623-693-3513
Very concerned resident

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android [aka.ms]

From: H B <hwb524@hotmail.com>

Sent: Tuesday, August 30, 2022 10:41:02 PM
To: joshua.bednarek@phoenix.gov <joshua.bednarek@phoenix.gov>
Subject: School and New Builds - Anthem/New River

Hi Joshua,

I'm so incredibly frustrated with the City of Phoenix planning and development and anyone else involved in approving the school and housing developments in Anthem/New River.

1. You didn't notify the residents that a potential school was going to be built or even allow us to provide our feedback on that. We would have clearly explained that that was a terrible idea!
The backup on the frontage road has been over an hour. The news has even reported it.

2. As you can see from the attached pictures the traffic has been horrendous! There was a complete backup on our Frontage Road. Why were you all not out there to assess it? Where's the traffic study?? Why did you not anticipate the long lines of traffic and create a longer extra turn lane for them off the Frontage Road? You can easily dig in to the land on the East Side to create an extra turning lane. Someone dropped the ball in planning.

3. When the bungalows were being proposed - multiple, multiple residents join the call to express concerns of traffic, traffic study, practicality, safety issues, the fact that the frontage road is are only way in-and-out , and so much more! The City of Phoenix literally blew everyone off and accepted the build. So, how is it that the residents could

anticipate this back up (and the backup these bungalows will cause), yet the building and planning department couldn't anticipate that??! That's because no one in the department even researched the area to understand the massive backup you are all causing!

4. The proposed apartments off of the exact same Frontage Road. The same residents got on the phone calls for the proposed apartments, expressing the same concerns as number 3. Again, no lack of knowledge of our area from the City of Phoenix, no concern for our safety or well being, or the traffic congestion and ridiculousness it was going to cause. As well as NO proper traffic study (after the school opened). They simply approved it despite the residents' concerns and legitimate issues.

5. And now on top of all the rest, the City of Phoenix also approved a master plan community off the exact same Frontage Road less than a mile away. As if the other builds and the existing traffic isn't enough, they want to add MORE to this small Frontage Road. Again, lacking knowledge from the City of Phoenix or any concern or regards to safety for the current residents.

6. The upcoming improvements to I-17 will be underway soon. In doing so, this will cause major backup on the frontage road when the freeway is minimized to one lane. Even with its current 2 lanes every weekend, the Frontage Road is heavily backed up due to some sort of accident on the freeway or just simply backed up from all the traffic going North. Once again, City of Phoenix did not take any of that into consideration in allowing 5, yes 5! new builds to go into one small confined area with one way in and out!

7. This is not your typical Phoenix area build.. In Phoenix the frontage roads are an extra way for the residents to get in-and-out. Typically, the homes have other routes to take to get in or out - side streets. This is not the case in this area!! There is one road for All of these people to get in-and-out.

8. Proper traffic studies SHOULD have been done before any approvals!! Including the school. Why would anyone think a school off a limited access Frontage Road would be a good idea?! In one of the meetings, the apartments were basing their traffic study off of a 2011 traffic study. That is so incredibly outdated it is not even valid with the growth in that area! The nearby homes weren't even built in 2011!

9 - A possible help to this traffic congestion (that you are all causing) would be to consider an offramp between Circle Mountain Rd and Jenny Lin (in the middle of Anthem Way and New River Road). It would make sense to have it be an on and off ramp both

north and southbound (which would also benefit the other school (Caurus) on the west side of the I-17. I propose the on/off ramp be at the north end of the neighborhood that is on the west side of the I-17. DO NOT build the on/off ramp at the Frontage Road and Circle Mountain Rd!!!! We CANNOT handle it and it would be worse!!!!

Also DO NOT make the Frontage Road a one way!!! That will also make things even worse!!!!

10 - Don't say that these homes are needed because the new plant off the 303, because there is PLENTY, PLENTY of land between the 303 and Anthem! You do NOT need to build 4 new builds in under 1 mile radius off a Frontage Road. It's NOT all about money. You need to think about people and safety as well. It's just NOT feasible to have this much traffic with no other routes.

11. All the neighbors that live off the Frontage Road are INCREDIBLY frustrated that they have to wait an hour to get home. If there is an Emergency, we're screwed. We all tried to explain that all these builds would be a traffic nightmare when we were on the calls trying to oppose the builds. Yet you all ignored us!

You all need to MAKE BETTER DECISIONS.

For being planning and development, you did NOT plan well for this. And if you continue to allow these other 3 builds to go in, you will get even more complaints and potentially cause a safety hazard for all us residents and all the students.

Please STOP/Deny the bungalow build, the apartments, and the proposed master planned community. Please do your job and DO A PROPER TRAFFIC STUDY. Please KNOW THE AREA when you approve new builds. Do your research and listen to the residents. It's NOT all about money. Your lack of planning and efficiency has led to an extreme traffic backup and WILL be SIGNIFICANTLY WORSE if the other 3 new builds are approved. This area SIMPLY CANNOT handle this much traffic!!

Please help correct this terrible situation.

Thank you,

Harmony Brown

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

Rio Vista
VILLAGE PLANNING COMMITTEE

Village Planning Committee Meeting Summary

Z-8-22-1

Date of VPC Meeting	May 9, 2023
Request From	C-2 (44.29 acres), C-3 (11.96 acres), S-1 (9.06 acres), County RU-43 Pending Annexation (8.03 acres), and Pending S-1 (5.95 acres)
Request To	R-2 (29.14 acres), R-3 (31.78 acres), and R-3A (18.37 acres)
Proposal	Single-family and multifamily residential
Location	Northeast corner of I-17 and Circle Mountain Road and the southeast corner of I-17 and Jenny Lin Road
VPC Recommendation	Approval, per the staff recommendation, with additional stipulations
VPC Vote	5-1

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Cases GPA-RV-1-22-1 and Z-8-22-1 are companion cases and were heard together.

Eight members of the public registered to speak on this item, in opposition.

Staff Presentation:

Adrian Zambrano, staff, provided an overview of the Minor General Plan Amendment request including the location of the request and surrounding General Plan Land Use Map designations. Mr. Zambrano provided background on the Infrastructure Limit Line and Infrastructure Phasing Overlay from the North Black Canyon Corridor Plan, noting that the Rio Vista Village was annexed into the City of Phoenix in 2002, after the policies from the North Black Canyon Corridor Plan were adopted in 1999, and that there is a gap in planning efforts. Mr. Zambrano concluded that due to this gap in planning efforts, there is no policy indicating that the Infrastructure Phasing Overlay is to be expanded into any new annexed property. Mr. Zambrano shared the staff findings and stated that staff recommends approval as amended to remove the request for modifications to the Infrastructure Phasing Overlay. Mr. Zambrano then provided an overview of the companion rezoning request including the location of the request, surrounding zoning and land uses, and the General Plan Land Use Map designations. Mr. Zambrano displayed the site plan and elevations for the proposed project and shared that the proposal has received two letters of opposition, three letters with concerns, and a petition of opposition with 214 signatures to date and summarized the

concerns. Mr. Zambrano shared the staff findings and stated that staff recommends approval subject to stipulations.

Applicant Presentation:

Adam Baugh, representative with Withey Morris Baugh, PLC, introduced himself and provided an overview of the request. Mr. Baugh shared the background of the developer, Bela Flor Communities. Mr. Baugh stated that when the property was first annexed into the City of Phoenix in 2007, the original plan was to build more commercial opportunities. Mr. Baugh shared that there was a development agreement formed to allow commercial development with septic systems, which would normally not be allowed today, and as City management changed, there was no longer a willingness to allow commercial development on septic systems. Mr. Baugh stated that infrastructure has been the property's biggest obstacle. Mr. Baugh shared that the current zoning would allow 1,579 homes, a retail shopping center, or a combination of the two. Mr. Baugh stated that the property owners had a hope that a future off-ramp would be built somewhere between Anthem Way to New River Road, which never occurred. Mr. Baugh stated that at one point there was a plan that the nearest utility provider, EPCOR, would serve the property and be reimbursed by the City of Phoenix, which has since been cancelled. Mr. Baugh stated that residential can be located on the property but comes with an expensive cost of $13 million for utility line extensions, noting that it is very expensive because of needing to go under the freeway three times for a looped water system, as required by the City. Mr. Baugh added that the Taiwan Semiconductor Manufacturing Company (TSMC) development has added hope to the property that did not exist before, noting that it adds a major employer in the area that would support residential development. Mr. Baugh shared that the rezoning request allows the property to be master planned rather than coming in piece by piece under the existing zoning entitlements. Mr. Baugh displayed the previously proposed site plan and shared changes made since it was last presented, noting that there is not a development plan for Phase 3 yet due to topographical limitations, and that they are stipulated to come back to the Rio Vista Village Planning Committee for the future site plan and elevations of Phase 3. Mr. Baugh added that the Rio Vista Village Design Guidelines were also implemented into the design. Mr. Baugh stated that the traffic generated from the proposed residential development would be three times fewer daily trips than the daily trips that would be generated with the current zoning entitlements, noting that traffic from the proposed development would be going the opposite direction along the I-17 frontage road than queuing from the school to the north. Mr. Baugh noted that the I-17 frontage road is being widened from two lanes to three lanes, which will help traffic congestion coming from the I-17 onto the frontage road. Mr. Baugh shared their neighborhood agreement and proposed additional stipulations.

Questions from the Committee:

Mr. Sommacampagna asked why Phase 3 is recommended to go through the Planning Hearing Officer (PHO) public hearing process instead of through the rezoning process. **Mr. Baugh** responded that the PHO process is the process that it would be heard by the Village Planning Committee.

Mr. Scharboneau asked why the request to be removed from the Infrastructure Phasing Overlay is recommended to be removed. **Mr. Zambrano** responded that after further review, staff determined removal of the Infrastructure Phasing Overlay was not required since the subject site is not located within the Infrastructure Phasing Overlay.

Mr. Scharboneau asked why the requested General Plan Land Use Map designations are higher density when the existing General Plan Land Use Map designations contemplated Commercial and Residential 3.5 to 5 dwelling units per acre, which seems to be more compatible with the surrounding area. **Mr. Baugh** responded that the General Plan is a policy document and zoning is regulatory. Mr. Baugh explained that the existing zoning is commercial, which allows multifamily residential development by-right. Mr. Baugh stated that the existing General Plan Land Use Map designations do not reflect what the current zoning is. Mr. Baugh stated that their request is mirroring uses and intensity that is already allowed with the existing zoning, which allows a density up to 15 dwelling units per acre. **Mr. Scharboneau** asked if the applicant agreed that the intent was for the commercial zoning to match with the General Plan Land Use Map designation for the intent of commercial uses and where designated as residential on the General Plan Land Use Map designation, that residential uses would be located in those areas with a density range of 3.5 to 5 dwelling units per acre. **Mr. Baugh** responded that he does not agree, adding that he has seen a lot of inconsistencies throughout the City of Phoenix General Plan Land Use Map and has been asked before to amend the General Plan Land Use Map to reflect the existing zoning.

Mr. Virgil asked about where traffic would go, adding that the proposal is for a lot of density that would create a lot of traffic. **Mr. Baugh** responded that traffic from commercial development on the property would either have to go north or south along the I-17 frontage road, similar to the proposed residential development. Mr. Baugh added that the density would be significantly less than what the property is currently entitled to, and that denial of their request would not change the fact that more than 1,500 units could be built using the existing zoning entitlements. Mr. Baugh stated that with the number of recommended stipulations, it would be a very regulated project that would result in a better product than it would under the existing entitlements. **Mr. Virgil** asked if the property was purchased already. **Mr. Baugh** responded affirmatively.

Jeff Riederer asked about notification to nearby residents and citizen participation. **Mr. Baugh** responded that they followed City of Phoenix notification and sign posting requirements, and that they were working with a neighbor to the north that has helped communicate everything to other neighbors. **Mr. Riederer** asked about the outcome of citizen participation. **Mr. Baugh** responded that the concerns were mostly addressed through the additional stipulations proposed in the neighborhood agreement. Mr. Baugh reiterated that the proposal is about 400 units less than what is allowed to be built under the existing zoning.

Mr. Sommacampagna stated that he appreciates that the applicant took the time to look through and implement the Rio Vista Village Design Guidelines. Mr.

Sommacampagna stated that in the residential standards, it recommends different materials and finishes, avoiding a box look, and having desert tone colors. Mr. Sommacampagna stated that he does not believe white Santa Barbara style architecture goes well with the desert tone theme. Mr. Sommacampagna stated that he does like the building elevations for Phase 2. **Mr. Baugh** responded that it would not be a problem for them to adjust the colors or materials.

Mr. Scharboneau asked about the Red Border Letter process. **Dawn Cartier**, Principal Traffic Engineer with CivTech Inc., responded that the Red Border Letter is a standard process that the Arizona Department of Transportation (ADOT) put in place years ago. Ms. Cartier stated that anytime a project is within a half mile of an ADOT facility, a Red Border Letter has to be submitted that tells ADOT what the project is about, and ADOT reviews it and comments on what they want to see. Ms. Cartier clarified that they have already sent ADOT the Traffic Impact Analysis (TIA). **Mr. Scharboneau** asked what ADOT wants to see. **Ms. Cartier** responded that the TIA is the most ADOT would ever want to see, and sometimes they just want to see the traffic at an interchange so ADOT can make adjustments or work with the City so that stipulations can be added related to necessary improvements.

Chair Lawrence asked if there were any traffic studies at the intersection of the I-17 and Anthem Way or at the intersection of the I-17 and New River Road. Ms. Cartier responded that they did evaluate both intersections in the traffic study and have been working with the City to address comments on the traffic study.

Mr. Virgil asked about the size of the build-to-rent units and how much the monthly rent would be. **Hudd Hassell**, representative with Bela Flor Communities, responded that they would be around 900 to 1700 square feet in size. Mr. Hassell stated that the monthly rent would be at the market rate and would depend on the market at the time.

Mr. Virgil asked about the water line location. **Mr. Baugh** responded that it is located on the west side of the I-17 freeway, three miles to the south through the other neighborhoods. Mr. Baugh stated that they would have to take out their water lines, expand them, put in new water lines, and then bring them up to the north on the west side of the freeway, and then cross under the freeway to reach the subject property.

Mr. Virgil stated that the water line that they would be adjusting is pretty new. **Mr. Baugh** stated that it is undersized because a loop system with a certain pressure capacity for fire safety is required. **Mr. Virgil** stated that something similar had to occur for a project on Pioneer Road and asked if they could connect to the water line there. **Mr. Hassell** stated that their looping system would start at Circle Mountain Road and would go to the north so they could have that looping system.

Mr. Sommacampagna asked if anyone could tap into the extended water and wastewater infrastructure. **Mr. Hassell** responded that the City requires that the infrastructure be provided all along the east side of the I-17. **Mr. Baugh** stated that it would be a good opportunity for the residents currently in the County jurisdiction to be annexed into the City of Phoenix jurisdiction and receive City water and sewer services

and that they would have that opportunity in the future. **Mr. Hassell** added that one of the proposed additional stipulations is to cap their wells, so they do not use any water in the area and do not draw down the water table.

Mr. Holton recommended the residential development be a senior living community.

Public Comments and Applicant Response to Public Comments:

Josh Weidman asked if Phase 3 would be higher density. **Mr. Baugh** responded affirmatively.

Harmony Brown introduced herself as a neighbor opposed to the project. Ms. Brown asked where the Traffic Impact Analysis is located for public viewing and if it was done after the school was built. Ms. Brown stated she has many pictures to show the traffic congestion. Ms. Brown stated that they only have one way to access their homes and have no back road access. Ms. Brown stated that the proposal would cause safety issues and mass traffic congestion. Ms. Brown stated that traffic on the I-17 frontage road is backed up very often. Ms. Brown stated that the existing zoning from 2007 is not updated and does not reflect current traffic flow. Ms. Brown was concerned about the density. Ms. Brown stated there is no room for expansion of the I-17 frontage road. Ms. Brown stated that there are many acres of land to build on near the TSMC project, and suggested the developer build the proposed development closer to TSMC. Ms. Brown stated that a new on- and off-ramp to the freeway between Anthem Way and New River Road would solve the traffic congestion issue.

Tammy Hughes introduced herself as a neighbor from Arroyo Norte in opposition. Ms. Hughes echoed Ms. Brown. Ms. Hughes asked what the master plan is for the traffic. Ms. Hughes stated that there was a transformer that caught on fire two years ago that enflamed the whole desert by Ms. Brown's house and a horse property. Ms. Hughes stated that there is no fire hydrant around the recreational vehicle dealership and that there are no fire walls around the dealership to keep fire from going into the desert. Ms. Hughes asked what the master plan for fire is.

John Dixon introduced himself as a neighbor of 22 years to the north on an abandoned powerline road near the surface mine, in opposition. Mr. Dixon echoed Ms. Brown. Mr. Dixon stated that there were times when he could not get home for over an hour because of the traffic congestion on the freeway and on the frontage road. Mr. Dixon asked what was going to be done with the frontage road north of the subject site. Mr. Dixon stated that the City, County and State do not want anything to do with the frontage road to the north. Mr. Dixon stated that the road never gets patrolled or monitored. Mr. Dixon stated that there are many cars that speed down the road, bicyclists using the frontage road from Anthem Way to New River Road that hold up traffic, and cars that cross the double yellow line in a no passing zone with oncoming traffic. Mr. Dixon stated that the deputy police officer of the district had told him that they do not have the resources to monitor the road. Mr. Dixon stated that only portions of the frontage road are within City of Phoenix jurisdiction. Mr. Dixon stated that nothing will be done about the frontage road until there is a fatality.

Mr. Scharboneau asked if the City of Phoenix has the jurisdiction to do anything with the frontage road. **Mr. Baugh** responded that the frontage roads are governed by the Maricopa County Department of Transportation (MCDOT). Mr. Baugh stated that based on their traffic study, they will have an obligation to widen the frontage road. Mr. Baugh stated that the traffic congestion is occurring because property adjacent to the frontage road has not developed so the infrastructure has not been put in yet. Mr. Baugh stated that the frontage road will be widened as part of the project.

Mr. Virgil asked what the size of the water line is. **Mr. Hassell** responded that the anticipated size is a 12-inch line, which could be as high as a 16-inch line from the tanks to get the right pressure to serve.

Eileen Baden introduced herself as a neighbor from New River with concerns. Ms. Baden stated that she has a master's degree in urban and environmental planning. Ms. Baden requested the project be delayed to the next meeting so more information can be shared. Ms. Baden stated that is has been hard for her to get information on the project. Ms. Baden stated that the frontage road is a regional transportation connection between New River and Anthem. Ms. Baden stated that the frontage road was too narrow and too dangerous for bicyclists. Ms. Baden shared that she had requested perimeter paths to be included in the project for enhanced connectivity and safe pathways. Ms. Baden believed that rural communities deserve active transportation options as well. Ms. Baden stated that biking is the first top activity for kids nationwide and the third top activity for adults after walking and hiking. Ms. Baden stated that good infrastructure for biking needs to be provided since it is one of the top outdoor activities in the nation. Ms. Baden stated that 34% of Maricopa County is obese or overweight according to the Maricopa Association of Governments (MAG) Active Transportation Plan, emphasizing the need to create safe outdoor activity opportunities in communities. Ms. Baden stated that she would like to use Jenny Lin Road to access hiking trails to Daisy Mountain and requested it not be gated. Ms. Baden was concerned with the noise walls because of the area being located in a scenic corridor. Ms. Baden emphasized important pathway connections due to potential development to the east. Ms. Baden echoed concerns with the I-17 frontage road. Ms. Baden was concerned with wildfires from the north coming south and fire evacuation plans. Ms. Baden emphasized that this is a regional connection and requested more public outreach be done by the applicant and to include the New River community. Ms. Baden commented that dark skies need to be protected, noting that she heard that the Desert Hills community lost their dark skies when Anthem was built. Ms. Baden stated that the area is in a scenic corridor according to the Maricopa County Daisy Mountain/New River Area Plan, emphasizing protection of scenic views. Ms. Baden stated that a trailhead parking area is needed for Daisy Mountain. Ms. Baden was concerned with the transition of density and suggested density be lower to the north and higher to the south. Ms. Baden suggested more community outreach be done.

Brandon Hill introduced himself as a neighbor in opposition. Mr. Hill stated that the proposal would bring new traffic to the area and traffic from commercial development would mostly be from people already living in the area. Mr. Hill stated that frontage road

is already overpopulated, and that New River Road is faster to get to Carefree Highway than the I-17. Mr. Hill commented that there are many other residential developments in the area that are already being built and stated that those developments are not being accounted for. Mr. Hill stated that the I-17 and the Loop 101 freeways are a huge traffic jam all the time. Mr. Hill stated each proposed dwelling until will have at least two cars because they are necessary to get to places, emphasizing the added traffic.

Angela Faber asked which fire department would serve the proposed development. **Mr. Hassell** responded that it would be served by the City of Phoenix since the property was annexed into the City. **Ms. Faber** asked where the nearest City of Phoenix fire station is located. **Mr. Baugh** responded that there is an agreement between all fire departments that whoever is closer will respond to the fire or medical emergency, noting that it works that way across all jurisdictions. Mr. Baugh stated that they will have to pay impact fees for water, sewer, as well as for public safety, for every one of their dwelling units, clarifying that those impact fees go towards the expansion and build out of new police and fire stations. **Ms. Faber** asked where the closest fire station is. **Mr. Baugh** responded that it would be built out per the impact fees. **Ms. Faber** asked where and when it would be built out. **Mr. Hassell** responded it would be built out whenever the City of Phoenix decides to build it. **Ms. Faber** responded that it has been said that a new fire station would be built out since the other side of Anthem has been built on the other side of the freeway. Ms. Faber stated that the proposed development will be utilizing the Daisy Mountain Fire Department. Ms. Faber asked if impact fees would be paid to the Daisy Mountain Fire Department. **Mr. Baugh** responded that they pay impact fees to the City of Phoenix, not Daisy Mountain Fire Department, and the City of Phoenix determines how and when they want to spend the impact fees, where the facilities should be located, and how the facilities would benefit their residents and the surrounding area that could be outside of the City of Phoenix jurisdiction. Mr. Baugh clarified that the agreement between the fire departments is beyond the scope of the Village Planning Committee. **Ms. Faber** responded that a new fire station still has not been built after approval of many different projects. Ms. Faber stated that the fire department does not currently have funds to build a new fire station. **Mr. Baugh** responded that they would have a requirement to install fire infrastructure all throughout the area, such as fire hydrants and testing pressure. Mr. Baugh stated that fire departments will be able to tap into those fire hydrants on their property boundary to fight a nearby fire.

An unknown audience member stated concerns with fire evacuation. **Mr. Baugh** responded that the existing road is not what it will look like when the project is built.

Ms. Cartier stated that ADOT has an evacuation plan and that they must have one for the area. Ms. Cartier stated that when the road is widened, it will have a bike lane and an extra 12 feet of pavement heading to the north or to the south. Ms. Cartier stated that ADOT, under their emergency management plan, can bring in police officers and can take all the vehicles out of a single direction.

Mr. Baugh stated that in addition to the widening of the frontage road and bike lane, there will be a 10-foot-wide multi-use trail along the west side of the property within a

30-foot-wide multi-use trail easement. Mr. Baugh stated that the project is providing the very infrastructure that is lacking.

Cyndi Tendick echoed Ms. Faber.

Chair Lawrence asked how many units are permitted with the existing zoning. **Mr. Baugh** responded 1,579 units. **Chair Lawrence** asked how many units are being proposed. **Mr. Baugh** responded around 1,000 units.

Discussion:

Mr. Sommacampagna stated that he thinks this is one of the best options they have given the by-right zoning. Mr. Sommacampagna stated that seeing a project with over 44 stipulations and a neighborhood agreement that is signed is a good sign and that he does not often seen developers going above and beyond.

Mr. Scharboneau stated that the Committee makes recommendations to the Planning Commission and that staff has recommended approval. Mr. Scharboneau suggested that everyone that showed up to the meeting should show up to the Planning Commission meeting. Mr. Scharboneau stated that concerns about widening the frontage road should be aimed at MCDOT.

Mr. Virgil stated that developers are usually the ones that put in all the infrastructure for new development.

Mr. Riederer stated that feels for the residents and understands their concerns with traffic. Mr. Riederer stated that the concerns need to be taken to the next level to the other public hearings.

MOTION – GPA-RV-1-22-1:

Mr. Scharboneau motioned to recommend denial of GPA-RV-1-22-1. **Mr. Virgil** seconded the motion.

VOTE – GPA-RV-1-22-1:

2-4; motion to recommend denial of GPA-RV-1-22-1 fails with Committee members Scharboneau and Virgil in favor and Committee members Holton, Riederer, Sommacampagna and Lawrence opposed.

MOTION – GPA-RV-1-22-1:

Mr. Holton motioned to recommend approval of GPA-RV-1-22-1 per the staff recommendation. **Mr. Sommacampagna** second the motion.

VOTE – GPA-RV-1-22-1:

4-2; motion to recommend approval of GPA-RV-1-22-1 per the staff recommendation passes with Committee members Holton, Riederer, Sommacampagna and Lawrence in favor and Committee members Scharboneau and Virgil opposed.

MOTION – Z-8-22-1:

Mr. Holton motioned to recommend denial of Z-8-22-1. No one seconded the motion, so the motion failed.

MOTION – Z-8-22-1:

Mr. Sommacampagna motioned to recommend approval of Z-8-22-1 per the staff recommendation, with additional stipulations as proposed by the applicant. **Mr. Riederer** seconded the motion.

VOTE – Z-8-22-1:

5-1; motion to recommend approval of Z-8-22-1 per the staff recommendation, with additional stipulations, passes with Committee members Riederer, Scharboneau, Sommacampagna, Virgil and Lawrence in favor and Committee member Holton opposed.

VPC RECOMMENDED STIPULATIONS:

Overall Site

1. Each phase of the development shall utilize the Planned Residential Development (PRD) option.

2. A minimum building setback of 100 feet shall be provided along the west property line, except for the northern most 1,077 feet, which shall have a minimum building setback of 55 feet, as approved by the Planning and Development Department.

3. A minimum landscaped setback of 30 feet shall be provided along the west property line, as approved by the Planning and Development Department.

4. All perimeter setbacks adjacent to public streets shall be planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 50% 2-inch caliper and 50% 3-inch caliper large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings with a staggered row of trees for every 20 feet of setback.

    b. Drought tolerant shrubs and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

5. A minimum of 10% of the required shrubs shall be a milkweed or other native nectar species and shall be planted in groups of three or more, as approved by the Planning and Development Department.

6. All pedestrian pathways and trails, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, calculated at summer solstice at noon as shown on a shading study, as approved by the Planning and Development Department.

7. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments, that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.

8. The primary entry/exit drives into the residential developments shall incorporate decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.

9. The primary entry/exit drives into the residential developments shall incorporate enhanced landscaping on both sides within minimum 250-square-foot landscape areas and shall incorporate a minimum 5-foot-wide landscape median, planted with a variety of at least three plant materials, as approved by the Planning and Development Department.

10. Traffic calming measures shall be provided at all site entries and exits to slow down vehicular speeds as they approach sidewalks and trails, as approved by the Planning and Development Department.

11. Each phase of the development shall provide bicycle infrastructure as described below, as approved by the Planning and Development Department.

    a. Secured bicycle parking shall be provided for units without garages at a rate of 0.25 spaces per multifamily residential dwelling unit, up to a maximum of 50 spaces.

    b. Guest bicycle parking shall be provided at a minimum of 0.05 spaces per multifamily residential and single-family residential dwelling unit, up to a maximum of 50 spaces. Guest bicycle parking for single-family residential shall be located in open space and amenity areas. Bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the community center and/or clubhouse and open space areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

c. A bicycle repair station (“fix it station”) shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

12. A Water Master Plan, Wastewater Master Plan, and Trails and Pedestrian Circulation Master Plan for the overall development, per the requirements of the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, shall be provided and updated with each phase of development to include the following elements, as approved by the Planning and Development Department.

a. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the west side of the site adjacent to the I-17 frontage road and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement, in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development department.

b. A north-south pedestrian connection shall be provided to connect all phases of the development, including the area between Project II and Project III.

c. Four pedestrian connections shall be provided from the site leading to the adjacent trails directly east or west of the site.

13. The indoor noise levels of residential units shall not exceed a decibel day night-level (DNL) of 45 decibels, as approved by the Planning and Development Department. A sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control shall be included with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.

14. Noise mitigation walls shall be provided along the west perimeter of the site. The wall height shall be determined through a noise analysis prepared by a registered professional engineer. The wall shall be constructed of minimum 8-inch-thick concrete masonry units (CMU) or of cast-in-place concrete and contain no openings unless they are above the minimum height required for adequate noise mitigation or for drainage. Noise walls shall be constructed to wrap around corner lots and areas near intersections. Wrap around walls, upon

turning a corner, shall continue for at least 120 feet (approximately two lot widths), as approved by the Planning and Development Department.

15. Perimeter walls, noise walls, and other walls shall vary by a minimum of four feet every 400 lineal feet to visually reflect a meandering or staggered setback, as approved by the Planning and Development Department.

16. Perimeter walls, including the noise wall, shall incorporate stone veneer, stonework, or integral color CMU block, as approved by the Planning and Development Department.

17. Interior walls and privacy fencing, excluding walls located between lots, shall use materials and colors that blend with the natural desert environment, as approved by the Planning and Development Department.

18. A minimum of 15% of each phase shall be retained as open space, including washes and hillside areas, as approved by the Planning and Development Department.

19. Each phase of the development shall contain a minimum of four shaded active recreation amenities, such as a tot lot, picnic areas, seating features, garden amenities, or similar amenities, as approved by the Planning and Development Department.

20. A combination of view walls/fencing and partial view walls/fencing shall be incorporated along property lines adjacent to dedicated public or private open space areas, natural and/or improved drainageways or recreational areas, as approved by the Planning and Development Department.

21. Drainage channels shall be designed to look natural in the desert setting through color, texture, landscaping, or other means, as approved by the Planning and Development Department.

22. A minimum of 2% of the required parking spaces, including garages, shall include Electric Vehicle (EV) Installed infrastructure and 5% of the required parking spaces shall include EV Capable infrastructure, as approved by the Planning and Development Department.

23. Minimum 5-foot-wide detached sidewalks and minimum 5-foot-wide landscape strips located between the back of curb and sidewalk within the development shall be constructed and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.

b. Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

24. Minimum 5-foot-wide detached sidewalks, or wider to meet Maricopa County Department of Transportation (MCDOT) minimum standards, and minimum 5-foot-wide landscape strips located between the back of curb and sidewalk, or wider to meet MCDOT minimum standards shall be constructed along the south side of Jenny Lin Road, the east side of the I-17 frontage road, and the north side of Circle Mountain Road, planted to the following standards. The developer shall record a landscaping maintenance agreement with the Maricopa County Department of Transportation (MCDOT) requiring the landowner and/or property management to maintain the installed landscaping within MCDOT right-of-way to the following planting standards, as approved by MCDOT and the Planning and Development Department.

a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.

b. Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

Where utility conflicts arise, the developer shall work with the MCDOT and the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

25. All right-of-way dedications and street improvements for Circle Mountain Road, the I-17 frontage road, and Jenny Lin Road shall comply with Maricopa County Department of Transportation (MCDOT) requirements, as approved by MCDOT.

26. A minimum 65-feet of right-of-way shall be dedicated, and the east half of the I-17 frontage road shall be constructed per the Maricopa County Department of Transportation (MCDOT) Rural Minor Arterial cross section, as required and approved by MCDOT.

27. A minimum of 30 feet of right-of-way shall be dedicated and constructed for the north side of the minor collector street along the southern boundary of Project III. The improvements shall be consistent with Minor Collector Cross Section F and include a minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk, as approved by the Planning and Development Department.

28. A minimum of 60 feet of right-of-way shall be dedicated and constructed for the full width of the minor collector street along the northern boundary of Project II. The improvements shall be consistent with Minor Collector Cross Section F and include minimum 5-foot-wide detached sidewalks separated by minimum 5-foot-wide landscape strips located between the back of curb and sidewalk, as approved by the Planning and Development Department.

29. Enhanced pedestrian connections shall be designed and constructed at all public street crossing locations to interconnect the pedestrian trails throughout the entirety of the site, as approved by the Street Transportation Department and the Planning and Development Department.

30. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department and MCDOT (where applicable). All improvements shall comply with all ADA accessibility standards.

31. A Red Border Letter shall be submitted to the Arizona Department of Transportation (ADOT) for this development.

32. The developer shall record documents that disclose to prospective purchasers and renters of property within the development the existence of noise from the I-17 Freeway. The form and content of such documents shall be reviewed and approved by the City prior to recordation.

33. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

34. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.

35. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

36. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder’s Office and delivered to the City to be included in the rezoning application file for record.

37. PRIOR TO THE CONSTRUCTION OF ANY RESIDENCES, ALL EXISTING WELLS WITHIN THE DEVELOPMENT SHALL BE CAPPED AND ABANDONED, AS REQUIRED BY THE ARIZONA DEPARTMENT OF WATER RESOURCES (ADWR).

38. THE DEVELOPMENT SHALL IMPLEMENT AND ABIDE BY ALL CITY OF PHOENIX DARK SKY ORDINANCE REQUIREMENTS.

39. EXCEPT FOR EMERGENCY ACCESS ONLY, THERE SHALL BE NO PUBLIC PARKING, CONSTRUCTION PARKING, OR PUBLIC INGRESS AND EGRESS TO JENNY LIN ROAD, UNLESS OTHERWISE APPROVED BY THE CITY OF PHOENIX PLANNING AND DEVELOPMENT DEPARTMENT.

40. PRIMARY CONSTRUCTION ACCESS SHALL BE FROM CIRCLE MOUNTAIN ROAD, OR THE FRONTAGE ROAD, AND ANCILLARY CONSTRUCTION ACTIVITY AND ACCESS MAY OCCUR ON JENNY LIN ROAD DURING PARTS OF PROJECT III, AS APPROVED BY THE CITY OF PHOENIX PLANNING AND DEVELOPMENT DEPARTMENT.

41. THE DEVELOPER SHALL IMPROVE THE SOUTH HALF OF JENNY LIN ROAD IN ACCORDANCE WITH THE MARICOPA COUNTY RURAL RESIDENTIAL CROSS SECTION UNLESS OTHERWISE REQUIRED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION.

42. THE DEVELOPER SHALL PROMPTLY REPAIR ANY ROADWAY DAMAGE THAT MAY OCCUR ON JENNY LIN ROAD DURING CONSTRUCTION.

43. THE DEVELOPER SHALL INCLUDE DISCLOSURE LANGUAGE IN FUTURE LEASES REQUIRING ALL RESIDENTS OF PROJECT III TO ACKNOWLEDGE THAT A PORTION OF JENNY LIN ROAD IS PRIVATE PROPERTY, AND NO TRESPASS IS PERMITTED.

44. THE DEVELOPMENT SHALL EXTEND THE CITY OF PHOENIX WATER LINE ALONG THE FRONTAGE ROAD TO THE PROJECT III DEVELOPMENT.

Phase 1 (R-3 Zoned Area)

~~37.~~ 45. The development shall be in general conformance with the site plan date stamped May 4, 2023, as modified by these stipulations and as approved by the Planning and Development Department.

~~38.~~ 46. The development shall be in general conformance with the elevations date stamped August 29, 2022, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.

a. Spanish Colonial architectural style

b. Windows and glass doors with muntins and mullions

c. Decorative lighting fixtures at building entrances/exits and by garage doors

d. Covered front porches

e. Window and door treatment

f. Decorative doors

g. Architectural embellishments including, but not limited to, corbels and terracotta gable vent tubes

~~39.~~ 47. Phase 1 of the development shall be limited to a maximum of 288 dwelling units.

Phase 2 (R-2 Zoned Area)

~~40.~~ 48. The development shall be in general conformance with the site plan date stamped April 13, 2023, as modified by these stipulations and as approved by the Planning and Development Department.

~~41.~~ 49. The development shall be in general conformance with the elevations date stamped August 29, 2022, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.

a. Variety of architectural styles

b. Windows and glass doors with muntins and mullions

c. Decorative lighting fixtures at building entrances/exits and by garage doors

d. Covered front porches and covered rear patios

e. Garage, window and door treatment

f. Decorative doors

g. Architectural embellishments including, but not limited to, corbels, terracotta gable vent tubes, and window shutters

h. Gable end treatment with varied materials and colors

i. Breaking of massing and with varied materials and colors

~~42.~~ Phase 2 of the development shall be limited to a maximum of 172 lots.
50.

Phase 3 (R-3A Zoned Area)

~~43.~~ Conceptual site plans and elevations for Phase 3 shall be reviewed and
51. approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

a. All building facades shall contain architectural embellishments and detailing such as, but not limited to, textural changes, pilasters, offsets, recesses, window fenestration, shadowboxes, and canopies.

b. Building and wall colors shall be muted and blend with, rather than contrast, with the surrounding desert environment. Accent colors may be appropriate but used judiciously and with restraint.

c. An architectural theme shall convey a sense of continuity through all phases.

~~44.~~ A minimum of 10% of surface parking lot areas, exclusive of perimeter
52. landscape setbacks, shall be landscaped. The surface parking lot areas shall be landscaped with minimum 2-inch caliper large canopy drought-tolerant shade trees and shall be dispersed throughout the parking area to achieve a minimum 25% shade at maturity, as approved by the Planning and Development Department.

STAFF COMMENTS REGARDING VPC RECOMMENDAITON & STIPULATIONS:

Stipulation Nos. 38, 41, and 44 are not necessary. All development within the City of Phoenix is subject to the Dark Sky Ordinance. Stipulation No. 41 is redundant since Stipulation No. 25 already covers improvements to Jenny Lin Road, as requested by the Street Transportation Department. Stipulation No. 44 is not necessary because the Water Services Department (WSD) will require the developer to extend and expand water and sewer infrastructure as required by WSD during the development review process.

Staff does not recommend Stipulation No 39 regarding restricting public parking access along Jenny Lin Road. The street will be dedicating as public right-of-way to the County, therefore the County would need to approve the parking restriction.

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION
June 1, 2023

ITEM NO: 8	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-8-22-1 (Companion Case GPA-RV-1-22-1)
Location:	Northeast corner of I-17 and Circle Mountain Road and the southeast corner of I-17 and Jenny Lin Road
From:	C-3, S-1, County RU-43 (Pending annexation), C-2, and Pending S-1
To:	R-2, R-3, and R-3A
Acreage:	79.29
Proposal:	Single-family and multifamily residential
Applicant:	Adam Baugh, Withey Morris Baugh, PLC
Owner:	Circle Mountain Holdings, LLC
Representative:	Adam Baugh, Withey Morris Baugh, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Rio Vista 5/9/2023 Approval, per the staff recommendation with additional stipulations.
Vote: 5-1.

Planning Commission Recommendation: Approval, per the staff memo dated June 1, 2023 with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve Z-8-22-1, per the staff memo dated June 1, 2023 with an additional stipulation that pedestrian access shall be provided to future development to the east for each phase of development.

Maker: Busching
Second: Mangum
Vote: 8-0
Absent: Howard
Opposition Present: Yes

Findings:

1. The proposal will develop a vacant property and as stipulated, will be compatible with surrounding land uses.

2. The stipulated landscape setbacks and planting standards are above the required minimum standards and will make the proposal a compatible addition to the neighboring area.

3. As stipulated, the proposal supports efforts from various plans and initiatives, such as the Housing Phoenix Plan, the Tree and Shade Master Plan, the Complete Streets

Guidelines, the Comprehensive Bicycle Master Plan, and the Transportation Electrification Action Plan.

Stipulations:

Overall Site

1. Each phase of the development shall utilize the Planned Residential Development (PRD) option.

2. A minimum building setback of 100 feet shall be provided along the west property line, except for the northern most 1,077 feet, which shall have a minimum building setback of 55 feet, as approved by the Planning and Development Department.

3. A minimum landscaped setback of 30 feet shall be provided along the west property line, as approved by the Planning and Development Department.

4. All perimeter setbacks adjacent to public streets shall be planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 50% 2-inch caliper and 50% 3-inch caliper large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings with a staggered row of trees for every 20 feet of setback.

    b. Drought tolerant shrubs and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

5. A minimum of 10% of the required shrubs shall be a milkweed or other native nectar species and shall be planted in groups of three or more, as approved by the Planning and Development Department.

6. All pedestrian pathways and trails, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, calculated at summer solstice at noon as shown on a shading study, as approved by the Planning and Development Department.

7. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped, or colored concrete, or other pavement treatments, that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.

8. The primary entry/exit drives into the residential developments shall incorporate decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.

9. The primary entry/exit drives into the residential developments shall incorporate enhanced landscaping on both sides within minimum 250-square-foot landscape areas and shall incorporate a minimum 5-foot-wide landscape median, planted with a variety of at least three plant materials, as approved by the Planning and Development Department.

10. Traffic calming measures shall be provided at all site entries and exits to slow down vehicular speeds as they approach sidewalks and trails, as approved by the Planning and Development Department.

11. Each phase of the development shall provide bicycle infrastructure as described below, as approved by the Planning and Development Department.

    a. Secured bicycle parking shall be provided for units without garages at a rate of 0.25 spaces per multifamily residential dwelling unit, up to a maximum of 50 spaces.

    b. Guest bicycle parking shall be provided at a minimum of 0.05 spaces per multifamily residential and single-family residential dwelling unit, up to a maximum of 50 spaces. Guest bicycle parking for single-family residential shall be located in open space and amenity areas. Bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the community center and/or clubhouse and open space areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

    c. A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

12. A Water Master Plan, Wastewater Master Plan, and Trails and Pedestrian Circulation Master Plan for the overall development, per the requirements of the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, shall be provided and updated with each phase of development to include the following elements, as approved by the Planning and Development Department.

    a. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the west side of the site adjacent to the I-17 frontage road and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement, in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development department.

    b. A north-south pedestrian connection shall be provided to connect all phases of the development, including the area between Project II and Project III.

    c. Four pedestrian connections shall be provided from the site leading to the adjacent trails directly east or west of the site.

D. PEDESTRIAN ACCESS SHALL BE PROVIDED TO FUTURE DEVELOPMENT TO THE EAST FOR EACH PHASE OF DEVELOPMENT.

13. The indoor noise levels of residential units shall not exceed a decibel day night-level (DNL) of 45 decibels, as approved by the Planning and Development Department. A sealed and signed analysis by an engineer licensed in Arizona with a proficiency in

residential sound mitigation or noise control shall be included with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.

14. Noise mitigation walls shall be provided along the west perimeter of the site. The wall height shall be determined through a noise analysis prepared by a registered professional engineer. The wall shall be constructed of minimum 8-inch-thick concrete masonry units (CMU) or of cast-in-place concrete and contain no openings unless they are above the minimum height required for adequate noise mitigation or for drainage. Noise walls shall be constructed to wrap around corner lots and areas near intersections. Wrap around walls, upon turning a corner, shall continue for at least 120 feet (approximately two lot widths), as approved by the Planning and Development Department.

15. Perimeter walls, noise walls, and other walls shall vary by a minimum of four feet every 400 lineal feet to visually reflect a meandering or staggered setback, as approved by the Planning and Development Department.

16. Perimeter walls, including the noise wall, shall incorporate stone veneer, stonework, or integral color CMU block, as approved by the Planning and Development Department.

17. Interior walls and privacy fencing, excluding walls located between lots, shall use materials and colors that blend with the natural desert environment, as approved by the Planning and Development Department.

18. A minimum of 15% of each phase shall be retained as open space, including washes and hillside areas, as approved by the Planning and Development Department.

19. Each phase of the development shall contain a minimum of four shaded active recreation amenities, such as a tot lot, picnic areas, seating features, garden amenities, or similar amenities, as approved by the Planning and Development Department.

20. A combination of view walls/fencing and partial view walls/fencing shall be incorporated along property lines adjacent to dedicated public or private open space areas, natural and/or improved drainageways or recreational areas, as approved by the Planning and Development Department.

21. Drainage channels shall be designed to look natural in the desert setting through color, texture, landscaping, or other means, as approved by the Planning and Development Department.

22. A minimum of 2% of the required parking spaces, including garages, shall include Electric Vehicle (EV) Installed infrastructure and 5% of the required parking spaces shall include EV Capable infrastructure, as approved by the Planning and Development Department.

23. Minimum 5-foot-wide detached sidewalks and minimum 5-foot-wide landscape strips located between the back of curb and sidewalk within the development shall be constructed and planted to the following standards, as approved by the Planning and Development Department.

a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.

b. Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

24. Minimum 5-foot-wide detached sidewalks, or wider to meet Maricopa County Department of Transportation (MCDOT) minimum standards, and minimum 5-foot-wide landscape strips located between the back of curb and sidewalk, or wider to meet MCDOT minimum standards shall be constructed along the south side of Jenny Lin Road, the east side of the I-17 frontage road, and the north side of Circle Mountain Road, planted to the following standards. The developer shall record a landscaping maintenance agreement with the Maricopa County Department of Transportation (MCDOT) requiring the landowner and/or property management to maintain the installed landscaping within MCDOT right-of-way to the following planting standards, as approved by MCDOT and the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.

    b. Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

    Where utility conflicts arise, the developer shall work with the MCDOT and the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

25. All right-of-way dedications and street improvements for Circle Mountain Road, the I-17 frontage road, and Jenny Lin Road shall comply with Maricopa County Department of Transportation (MCDOT) requirements, as approved by MCDOT. WHERE POSSIBLE THE COUNTY RURAL RESIDENTIAL CROSS SECTION SHALL BE UTILIZED FOR JENNY LIN ROAD.

26. A minimum 65-feet of right-of-way shall be dedicated, and the east half of the I-17 frontage road shall be constructed per the Maricopa County Department of Transportation (MCDOT) Rural Minor Arterial cross section, as required, and approved by MCDOT.

27. A minimum of 30 feet of right-of-way shall be dedicated and constructed for the north side of the minor collector street along the southern boundary of Project III. The improvements shall be consistent with Minor Collector Cross Section F and include a minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk, as approved by the Planning and Development Department.

28. A minimum of 60 feet of right-of-way shall be dedicated and constructed for the full width of the minor collector street along the northern boundary of Project II. The improvements shall be consistent with Minor Collector Cross Section F and include minimum 5-foot-wide detached sidewalks separated by minimum 5-foot-wide

landscape strips located between the back of curb and sidewalk, as approved by the Planning and Development Department.

29. Enhanced pedestrian connections shall be designed and constructed at all public street crossing locations to interconnect the pedestrian trails throughout the entirety of the site, as approved by the Street Transportation Department and the Planning and Development Department.

30. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department and MCDOT (where applicable). All improvements shall comply with all ADA accessibility standards.

31. A Red Border Letter shall be submitted to the Arizona Department of Transportation (ADOT) for this development.

32. The developer shall record documents that disclose to prospective purchasers and renters of property within the development the existence of noise from the I-17 Freeway. The form and content of such documents shall be reviewed and approved by the City prior to recordation.

33. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

34. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.

35. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

36. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder’s Office and delivered to the City to be included in the rezoning application file for record.

37. PRIOR TO THE CONSTRUCTION OF ANY RESIDENCES, ALL EXISTING WELLS WITHIN THE DEVELOPMENT SHALL BE CAPPED AND ABANDONED, AS REQUIRED BY THE ARIZONA DEPARTMENT OF WATER RESOURCES (ADWR).

38. THE DEVELOPMENT SHALL PETITION THE STREET TRANSPORTATION DEPARTMENT TO ELIMINATE THE REQUIREMENT FOR STREET LIGHT INFRASTRUCTURE FOR THE DEVELOPMENT WHERE POSSIBLE IN AN EFFORT TO PROTECT DARK SKIES ~~IMPLEMENT AND ABIDE BY ALL CITY OF PHOENIX DARK SKY ORDINANCE REQUIREMENTS~~.

~~39.~~ ~~EXCEPT FOR EMERGENCY ACCESS ONLY, THERE SHALL BE NO PUBLIC PARKING, CONSTRUCTION PARKING, OR PUBLIC INGRESS AND EGRESS TO~~

~~JENNY LIN ROAD, UNLESS OTHERWISE APPROVED BY THE CITY OF PHOENIX PLANNING AND DEVELOPMENT DEPARTMENT.~~

~~40.~~ 39. PRIMARY CONSTRUCTION ACCESS SHALL BE FROM CIRCLE MOUNTAIN ROAD, OR THE FRONTAGE ROAD, AND ANCILLARY CONSTRUCTION ACTIVITY AND ACCESS MAY OCCUR ON JENNY LIN ROAD DURING PARTS OF PROJECT III, AS APPROVED BY THE CITY OF PHOENIX PLANNING AND DEVELOPMENT DEPARTMENT.

~~41.~~ ~~THE DEVELOPER SHALL IMPROVE THE SOUTH HALF OF JENNY LIN ROAD IN ACCORDANCE WITH THE MARICOPA COUNTY RURAL RESIDENTIAL CROSS SECTION UNLESS OTHERWISE REQUIRED BY THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION.~~

~~42.~~ 40. THE DEVELOPER SHALL PROMPTLY REPAIR ANY ROADWAY DAMAGE THAT MAY OCCUR ON JENNY LIN ROAD DURING CONSTRUCTION.

~~43.~~ 41. THE DEVELOPER SHALL INCLUDE DISCLOSURE LANGUAGE IN FUTURE LEASES REQUIRING ALL RESIDENTS OF PROJECT III TO ACKNOWLEDGE THAT A PORTION OF JENNY LIN ROAD IS PRIVATE PROPERTY, AND NO TRESPASS IS PERMITTED.

~~44.~~ ~~THE DEVELOPMENT SHALL EXTEND THE CITY OF PHOENIX WATER LINE ALONG THE FRONTAGE ROAD TO THE PROJECT III DEVELOPMENT.~~

Phase 1 (R-3 Zoned Area)

~~37.~~ ~~45.~~ 42. The development shall be in general conformance with the site plan date stamped May 4, 2023, as modified by these stipulations and as approved by the Planning and Development Department.

~~38.~~ ~~46.~~ 43. The development shall be in general conformance with the elevations date stamped August 29, 2022, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.

a. Spanish Colonial architectural style

b. Windows and glass doors with muntin’s and mullions

c. Decorative lighting fixtures at building entrances/exits and by garage doors

d. Covered front porches

e. Window and door treatment

f. Decorative doors

g. Architectural embellishments including, but not limited to, corbels and terracotta gable vent tubes

~~39.~~ ~~47.~~ 44. Phase 1 of the development shall be limited to a maximum of 288 dwelling units.

Phase 2 (R-2 Zoned Area)

~~40.~~ ~~48.~~ 45. The development shall be in general conformance with the site plan date stamped April 13, 2023, as modified by these stipulations and as approved by the Planning and Development Department.

~~41.~~ ~~49.~~ 46. The development shall be in general conformance with the elevations date stamped August 29, 2022, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.

a. Variety of architectural styles

b. Windows and glass doors with muntin's and mullions

c. Decorative lighting fixtures at building entrances/exits and by garage doors

d. Covered front porches and covered rear patios

e. Garage, window, and door treatment

f. Decorative doors

g. Architectural embellishments including, but not limited to, corbels, terracotta gable vent tubes, and window shutters

h. Gable end treatment with varied materials and colors

i. Breaking of massing and with varied materials and colors

~~42.~~ ~~50.~~ 47. Phase 2 of the development shall be limited to a maximum of 172 lots.

Phase 3 (R-3A Zoned Area)

~~43.~~ ~~51.~~ 48. Conceptual site plans and elevations for Phase 3 shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

a. All building facades shall contain architectural embellishments and detailing such as, but not limited to, textural changes, pilasters, offsets, recesses, window fenestration, shadowboxes, and canopies.

b. Building and wall colors shall be muted and blend with, rather than contrast, with the surrounding desert environment. Accent colors may be appropriate but used judiciously and with restraint.

c. An architectural theme shall convey a sense of continuity through all phases.

~~44.~~ ~~52.~~ A minimum of 10% of surface parking lot areas, exclusive of perimeter landscape setbacks, shall be landscaped. The surface parking lot areas shall be landscaped with

49. minimum 2-inch caliper large canopy drought-tolerant shade trees and shall be dispersed throughout the parking area to achieve a minimum 25% shade at maturity, as approved by the Planning and Development Department.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.

CITY OF PHOENIX

MAY 9 2023

Planning & Development Department

Phoenix City Councilmembers
Phoenix City Hall
200 W. Washington Street
Phoenix, AZ 85003

Re: Anthem 114 Development - GPA Case No: GPA-RV-1-22-1, Case No: 2-8-22-1

April 24, 2023

Dear City of Phoenix Councilmembers and Rio Vista Village Planning Committee:

I am sending this letter in regard to the housing development project along the I-17 frontage road between Anthem and New River (identified in the November 16th formal city council meeting as #45 for the Proposed I-17 and Jenny Lin Road Annexation Public Hearing with Case No: 2-8-22-1). Although this project may be viewed on the outskirts, in reality it is a regional transportation and recreation connection between the communities of New River and Anthem.

1. **A perimeter pathway around the project site is necessary to ensure connectivity between New River and Anthem, as well as to ensure public access to Daisy Mountain is protected.** The New River/Desert Hills Area Plan shows future trail connections planned from this area east into Daisy Mountain. The Friends of Daisy Mountain Trails also have a planned trail connection into Tonto National Forest.

   All communities deserve active transportation options including rural communities. Anthem is a high kid-density area and safe pathways for bicycle and pedestrian travel are necessary. Biking is in the top 3 for adult outdoor recreation activities nationwide and it is the #1 outdoor activity for kids under 15 nationwide. The pathway is needed to support active transportation and recreation opportunities and provide a safe environment.

   Approximately 64% of Maricopa County is obese or overweight according to the 2020 Maricopa Association of Governments Active Transportation Plan. In addition, mental health effects are becoming more prevalent among youth as discussed in the 2021 U.S. Surgeon Generals Advisory on Youth Mental Health. The pathway would help to provide a safe place for people to exercise as well as provide a connection to Daisy Mountain where hiking, picnicking, and escaping to the natural environment is possible. In addition to physical benefits, there are mental health benefits associated with spending time in nature as well.

   It is essential when creating a built environment that the design includes safe places for those interested in active transportation and recreation to participate. There have been many fatalities due to excluding active transportation options. We believe the addition on a perimeter path for this project would help provide for a safer regional transportation and recreation connection.

In addition, with increased active transportation options there would be economic benefits to both the New River businesses to the north and Anthem businesses to the south due to the increased and existing populations. As a portion of the site is changing from commercial to residential, it makes sense to provide current businesses in the area with another way for people to reach them.

A perimeter pathway is necessary to ensure active transportation options for residents of the area and to protect a regional connection, as well as public access to Daisy Mountain. Rural communities deserve active transportation options too.

2. **Bike lanes should be added to the frontage road.**

As e-bikes increase in popularity and create the opportunity for people to travel much further we need to have the infrastructure in place to be able to best accommodate them and provide a safe environment for all roadway users. Some bicyclists prefer to be on the road and travel at high speeds (even without a motor) and bike lanes could support the infrastructure for them as well as e-bike users.

3. **Road lanes need to be reviewed for an emergency during a wildlife or other event.**

Another concern is if a wildfire occurred to the north, people in New River would use the I-17 and frontage road along this project site to go south. Due to the increased population, as well as to ensure egress during an emergency, the frontage road may need to be widened or lanes added. One consideration is developing the pathway to standards that would allow emergency vehicles to use them and bypass traffic in case of an emergency.

4. **Protect dark skies.**

Another concern is the impact of light pollution on the dark skies in the New River area. We request the project as well as others in the area use certain design features to reduce light impacts onto neighboring communities. With just one social media post, twenty-one community members have signed up to protect dark skies in New River.

5. **Protect scenic views.**

The project area is in a Scenic Corridor, so views of Daisy Mountain and Gavilan Peak in particular should be protected. The I-17 Scenic Corridor Overlay was adopted in 1999 and the Scenic Corridor extends from Carefree Highway north to Yavapai County. The designation was established to preserve environmentally sensitive land areas and view corridors, and encourage innovative and sensitive planning and quality design.

The Maricopa County New River/Desert Hills Area Plan should be referenced to ensure that any protections this site was granted being in Maricopa County still apply (such as the scenic corridor). Even if the Maricopa County parcel is not annexed, we ask that the City of Phoenix still review and accommodate the intended goals of the New River/Desert Hills Area Plan as this site is adjacent to county land.

In particular, protection of the viewshed including Daisy Mountain and Gavilan Peak is essential. One concern with the annexation of the Maricopa County area is that the protection of these viewsheds may not occur.

6. **Protect public access to lands accessible to the public and develop a trailhead parking area to help provide adequate and safe access to Daisy Mountain.**

   The additional of a perimeter path would help to provide access to Daisy Mountain as well as thousands of acres of Arizona State Land (where a low-cost permit can be obtained) and eventually to Tonto National Forest. The pathway would also help provide access to the Maricopa Trail, a 315-mile loop that would provide access to the entire Phoenix metropolitan area. This connection is especially critical for those in west New River who would be essentially cut off without this connection.

   The trailhead parking area is important as the development will being in many new residents and expose more people to Daisy Mountain. The City of Phoenix has seen challenges with inadequate parking and public access for the mountain preserves. The trailhead parking area would help to ensure adequate parking is available for the community.

7. **Transition of density from higher density near the Anthem area to lower density near New River.**

   One concern heard from residents in New River is the stark contrast that could exist if development is high density as it approaches New River. We ask you to consider a transition of density as residents in the area have expressed this concern.

8. **Maintain the existing commercial portion of the property instead of have only residential homes.**

   With more people moving into the area, it will create more use on existing shopping and retail areas, so the commercial portion of the project should remain as such to provide adequate commercial services to people in the area.

9. **Do not allow a portion of the site to be for the construction of single-family homes in rent for perpetuity.**

Homes should be available for sale to the general public, not available for rent. It makes sense in apartment complexes where there may be more communal aspects of the development such as sharing building and maintenance expenses associated with the building structure. The single family homes should be available for purchase or we are going to continue to see a lack of affordable housing in the area.

One of the main concerns is that if a pathway is not developed with this project along the frontage road, it will never happen and that regional transportation and recreation connection would be lost. Although New River may seem outside of town, there have been people living here since the late 1800's and the area is continuing to grow. There has been a 16 percent increase in population from 2010 to 2020 and the area is expected to grow even more with the addition of the new TSMC factory in the North Valley.

I ask that you listen to these concerns and incorporate these suggestions for the project as it moves forward in the development process.

As part of the annexation of Maricopa County we ask that all Maricopa County Plans are reviewed and incorporated in the project design, that design features reduce light and visual impacts, and that the project supports active transportation by providing regional connectivity with the addition of a perimeter path.

Please do not hesitate to contact me with any questions or concerns. I am also be available to meeting in-person to discuss these concerns.

Please do not block alleys to Jenny Lin Road. This is how I access Daisy Mountain.

Thank you,

Eileen Baden, AICP

Eileen Baden, AICP

eileenbaden@gmail.com

908-797-9727

Past President, Arizona Association of Environmental Professionals

Advisory Board Member, School of Geographical Sciences and Urban Planning at ASU

Board Member, Friends of Daisy Mountain Trails

Additional Signatories

Sue Daul

Kathleen Biernot

Christine Burk

Racelle Escolar

From: H B <hwb524@hotmail.com>
Sent: Thursday, June 1, 2023 9:08 PM
To: Racelle Escolar; Victoria C Murrillo; gabriel.jaramillo@phoenix.gov; marcia.busching@phoenix.gov; Tricia Gomes; steve.gaynor@phoenix.gov
Subject: Meeting GPA-RV-1-22-1 - I requested to speak and was not allowed to!

Hello,

I requested to speak and was not allowed to. You need to fix your system and allow everyone online who wants to speak, speak.

I completely agreed with James.

I'm very frustrated with this and very passionate - so I have a lot to say.

My questions are for the Phoenix Planning and Development Department ...
We did not get proper communication that the school would be going in. Believe me - multiple neighbors would have told you that is a bad idea.
Last year, we had a Great Hearts school built less than a mile from this prooposed development and the traffic is a mess.
Your job is to "plan and develop". That means you work with all necessary entities to plan accordingly. I feel the planning and development department dropped the ball and didn't plan properly for the school and now it's happening again. As James said - There are 3 other proposed builds. That's a lot of new builds off one road in less than a 1 mile radius.
Why have you not included ADOT and MCDOT in all these meetings? Why are you not working closely with them to "plan" accordingly?

Can you tell me where, in Arizona, that there is a Frontage Road (with no other street access - back streets, side streets, etc), that has a high traffic school, multiple home sites, already flowing traffic, AND a "Master Planned Community"??? You can't! Because it's impractical and unsafe!
All the neighborhoods that live off the Frontage Road, as well as all the school children/parents - have ONE STREET to enter and exit.
Phoenix Frontage Roads at least have other streets that they can detour and drive through if the Frontage Road is full. WE DON'T HAVE THAT!!
I know you all don't care because you either don't know the area, don't live in the area, or won't be impacted. But this WILL CAUSE SAFETY HAZARDS and MASS CONGESTION!!
I take pictures EVERYTIME the Frontage Road is backed up. It's backed up quite often.
An average household has 2 cars. The projections of 1579 units will lead to an additional 3158+ Cars on the Frontage Road. This is absurd and again UNSAFE! You will be causing traffic congestion. Zoning from 2007 is not updated to current traffic flow. Why have you not rezoned since 2007?? Zoning should be updated first.
The fact that phase 3 and 4 are unknown worries and frustrates me even more.
I don't understand why you're insistant on unnecessarily cramming too many homes in one area. There is NO reason they can't build 1/2 acre to 1 acre lots there (similar to New River homes).
I'm not trying to be unreasonable and say don't build. But DO NOT put a massive amount of homes off a single Frontage Road. We've had accidents, fires, and emergencies in the past which have caused the Frontage Road to close for hours

(leaving all residents unable to go to their homes).
Once these projected homes are built, you can't just tear them down if you find that you screwed up. If you build these and the Frontage Road is bumper to bumper (unsafe traffic congestion), then what???? You all just turn your head and say oh - at least we made money - too bad for those neighbors. It will never go back, it will never get better. Traffic is already increasing.
That agreement was only with Jennylin Neighbors. Not any other neighbors.
He is NOT adding another lane! The set backs won't help! Having the frontage road narrow, then widen at these homes, then narrow again - is pointless!
This decision can destroy the area.
Don't be greedy and do what's right for the community.
The proposed density is too much for the Frontage Road!
Also, this has nothing to do with the TSMC plant and homes needed. There are THOUSANDS of acres all around the plant that can be built on - you do NOT need to shove homes into our small area.
Please make the right decision and do NOT build apartments and build only homes on 1/2 acre and 1 acre lots.
Why have you know "planned" to build an on/off ramp between Anthem and New River exits both north and south bound?? That will help with the traffic.
So - what are you doing to plan for the mass traffic congestion this will cause?
I oppose this until you plan properly and find solutions to be proactive with the traffic congestion this will cause.

I'm disappointed and frustrated that you simply agree to everything.

Thank you,
Harmony Brown

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android [aka.ms]

City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

To: Alan Stephenson
Deputy City Manager

Date: June 23, 2023

From: Joshua Bednarek JB
Planning and Development Director

Subject: ITEM NO.97 ON THE JULY 3, 2023 FORMAL AGENDA – PUBLIC HEARING AND ORDINANCE ADOPTION – REZONING APPLICATION Z-8-22-1 – NORTHEAST CORNER OF I-17 AND CIRCLE MOUNTAIN ROAD AND THE SOUTHEAST CORNER OF I-17 AND JENNY LIN ROAD (ORDINANCE G-)

Item No. 97, Rezoning Application Z-8-22-1, is a request to rezone 79.29 acres located at the northeast corner of I-17 and Circle Mountain Road and the southeast corner of I-17 and Jenny Lin Road from C-2 (Intermediate Commercial), C-3 (General Commercial), S-1 (Ranch or Farm Residence), County RU-43 (One Acre Per Dwelling Unit) (Pending Annexation), and Pending S-1 (Ranch or Farm Residence) to R-2 (Multifamily Residence District), R-3 (Multifamily Residence District), and R-3A (Multifamily Residence District) to allow single-family and multifamily residential.

The Rio Vista Village Planning Committee heard this request on May 9, 2023, and recommended approval, per the staff recommendation with additional stipulations, by a 5-1 vote.

The Planning Commission heard this request on June 1, 2023, and recommended approval, per the staff memo dated June 1, 2023 with an additional stipulation, by a 8-0 vote.

The purpose of this is memo is to recommend modifications to Stipulation Nos. 27 and 28 to add landscape planting standards within the right-of-way.

The revised stipulations are listed below with updates in **BOLD AND CAPITAL** letters.

Staff recommends approval, subject to the following stipulations:

Overall Site

1. Each phase of the development shall utilize the Planned Residential Development (PRD) option.

2. A minimum building setback of 100 feet shall be provided along the west property line, except for the northern most 1,077 feet, which shall have a minimum building setback of 55 feet, as approved by the Planning and Development Department.

3. A minimum landscaped setback of 30 feet shall be provided along the west property line, as approved by the Planning and Development Department.

4. All perimeter setbacks adjacent to public streets shall be planted to the following standards, as approved by the Planning and Development Department.

   a. Minimum 50% 2-inch caliper and 50% 3-inch caliper large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings with a staggered row of trees for every 20 feet of setback.

   b. Drought tolerant shrubs and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

5. A minimum of 10% of the required shrubs shall be a milkweed or other native nectar species and shall be planted in groups of three or more, as approved by the Planning and Development Department.

6. All pedestrian pathways and trails, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, calculated at summer solstice at noon as shown on a shading study, as approved by the Planning and Development Department.

7. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments, that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.

8. The primary entry/exit drives into the residential developments shall incorporate decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.

9. The primary entry/exit drives into the residential developments shall incorporate enhanced landscaping on both sides within minimum 250-square-foot landscape areas and shall incorporate a minimum 5-foot-wide landscape median, planted with a variety of at least three plant materials, as approved by the Planning and Development Department.

10. Traffic calming measures shall be provided at all site entries and exits to slow down vehicular speeds as they approach sidewalks and trails, as approved by the Planning and Development Department.

11. Each phase of the development shall provide bicycle infrastructure as described below, as approved by the Planning and Development Department.

a. Secured bicycle parking shall be provided for units without garages at a rate of 0.25 spaces per multifamily residential dwelling unit, up to a maximum of 50 spaces.

b. Guest bicycle parking shall be provided at a minimum of 0.05 spaces per multifamily residential and single-family residential dwelling unit, up to a maximum of 50 spaces. Guest bicycle parking for single-family residential shall be located in open space and amenity areas. Bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the community center and/or clubhouse and open space areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

c. A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

12. A Water Master Plan, Wastewater Master Plan, and Trails and Pedestrian Circulation Master Plan for the overall development, per the requirements of the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, shall be provided and updated with each phase of development to include the following elements, as approved by the Planning and Development Department.

a. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the west side of the site adjacent to the I-17 frontage road and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement, in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development department.

b. A north-south pedestrian connection shall be provided to connect all phases of the development, including the area between Project II and Project III.

c. Four pedestrian connections shall be provided from the site leading to the adjacent trails directly east or west of the site.

d. Pedestrian access shall be provided to future development to the east for each phase of development.

13. The indoor noise levels of residential units shall not exceed a decibel day night-level (DNL) of 45 decibels, as approved by the Planning and Development Department. A sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control shall be included with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.

14. Noise mitigation walls shall be provided along the west perimeter of the site. The wall height shall be determined through a noise analysis prepared by a registered professional engineer. The wall shall be constructed of minimum 8-inch-thick concrete masonry units (CMU) or of cast-in-place concrete and contain no openings unless they are above the minimum height required for adequate noise mitigation or for drainage. Noise walls shall be constructed to wrap around corner lots and areas near intersections. Wrap around walls, upon turning a corner, shall continue for at least 120 feet (approximately two lot widths), as approved by the Planning and Development Department.

15. Perimeter walls, noise walls, and other walls shall vary by a minimum of four feet every 400 lineal feet to visually reflect a meandering or staggered setback, as approved by the Planning and Development Department.

16. Perimeter walls, including the noise wall, shall incorporate stone veneer, stonework, or integral color CMU block, as approved by the Planning and Development Department.

17. Interior walls and privacy fencing, excluding walls located between lots, shall use materials and colors that blend with the natural desert environment, as approved by the Planning and Development Department.

18. A minimum of 15% of each phase shall be retained as open space, including washes and hillside areas, as approved by the Planning and Development Department.

19. Each phase of the development shall contain a minimum of four shaded active recreation amenities, such as a tot lot, picnic areas, seating features, garden amenities, or similar amenities, as approved by the Planning and Development Department.

20. A combination of view walls/fencing and partial view walls/fencing shall be incorporated along property lines adjacent to dedicated public or private open space areas, natural and/or improved drainageways or recreational areas, as approved by the Planning and Development Department.

21. Drainage channels shall be designed to look natural in the desert setting through color, texture, landscaping, or other means, as approved by the Planning and Development Department.

22. A minimum of 2% of the required parking spaces, including garages, shall include Electric Vehicle (EV) Installed infrastructure and 5% of the required parking spaces shall include EV Capable infrastructure, as approved by the Planning and Development Department.

23. Minimum 5-foot-wide detached sidewalks and minimum 5-foot-wide landscape strips located between the back of curb and sidewalk within the development shall be constructed and planted to the following standards, as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.

    b. Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

    Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

24. Minimum 5-foot-wide detached sidewalks, or wider to meet Maricopa County Department of Transportation (MCDOT) minimum standards, and minimum 5-foot-wide landscape strips located between the back of curb and sidewalk, or wider to meet MCDOT minimum standards shall be constructed along the south side of Jenny Lin Road, the east side of the I-17 frontage road, and the north side of Circle Mountain Road, planted to the following standards. The developer shall record a landscaping maintenance agreement with the Maricopa County Department of Transportation (MCDOT) requiring the landowner and/or property management to maintain the installed landscaping within MCDOT right-of-way to the following planting standards, as approved by MCDOT and the Planning and Development Department.

    a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.

    b. Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live vegetative ground coverage at maturity.

    Where utility conflicts arise, the developer shall work with the MCDOT and the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

25. All right-of-way dedications and street improvements for Circle Mountain Road, the I-17 frontage road, and Jenny Lin Road shall comply with Maricopa County Department of Transportation (MCDOT) requirements, as approved by MCDOT. Where possible the County Rural Residential Cross Section shall be utilized for Jenny Lin Road.

26. A minimum 65-feet of right-of-way shall be dedicated, and the east half of the I-17 frontage road shall be constructed per the Maricopa County Department of Transportation (MCDOT) Rural Minor Arterial cross section, as required and approved by MCDOT.

27. A minimum of 30 feet of right-of-way shall be dedicated and constructed for the north side of the minor collector street along the southern boundary of Project III. The improvements shall be consistent with Minor Collector Cross Section F and include a minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk, **PLANTED TO THE FOLLOWING STANDARDS,** as approved by the Planning and Development Department.

    A. **MINIMUM 2-INCH CALIPER SINGLE-TRUNK LARGE CANOPY DROUGHT-TOLERANT SHADE TREES PLANTED 20 FEET ON CENTER OR IN EQUIVALENT GROUPINGS.**

    B. **DROUGHT TOLERANT SHRUBS, ACCENTS, AND VEGETATIVE GROUNDCOVERS TO ACHIEVE A MINIMUM OF 75% LIVE VEGETATIVE GROUND COVERAGE AT MATURITY.**

    WHERE UTILITY CONFLICTS ARISE, THE DEVELOPER SHALL WORK WITH THE MCDOT AND THE PLANNING AND DEVELOPMENT DEPARTMENT ON AN ALTERNATIVE DESIGN SOLUTION CONSISTENT WITH A PEDESTRIAN ENVIRONMENT.

28. A minimum of 60 feet of right-of-way shall be dedicated and constructed for the full width of the minor collector street along the northern boundary of Project II. The improvements shall be consistent with Minor Collector Cross Section F and include minimum 5-foot-wide detached sidewalks separated by minimum 5-foot-wide landscape strips located between the back of curb and sidewalk, **PLANTED TO THE FOLLOWING STANDARDS,** as approved by the Planning and Development Department.

    A. **MINIMUM 2-INCH CALIPER SINGLE-TRUNK LARGE CANOPY DROUGHT-TOLERANT SHADE TREES PLANTED 20 FEET ON CENTER OR IN EQUIVALENT GROUPINGS.**

B. DROUGHT TOLERANT SHRUBS, ACCENTS, AND VEGETATIVE GROUNDCOVERS TO ACHIEVE A MINIMUM OF 75% LIVE VEGETATIVE GROUND COVERAGE AT MATURITY.

WHERE UTILITY CONFLICTS ARISE, THE DEVELOPER SHALL WORK WITH THE MCDOT AND THE PLANNING AND DEVELOPMENT DEPARTMENT ON AN ALTERNATIVE DESIGN SOLUTION CONSISTENT WITH A PEDESTRIAN ENVIRONMENT.

29. Enhanced pedestrian connections shall be designed and constructed at all public street crossing locations to interconnect the pedestrian trails throughout the entirety of the site, as approved by the Street Transportation Department and the Planning and Development Department.

30. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals, as per plans approved by the Planning and Development Department and MCDOT (where applicable). All improvements shall comply with all ADA accessibility standards.

31. A Red Border Letter shall be submitted to the Arizona Department of Transportation (ADOT) for this development.

32. The developer shall record documents that disclose to prospective purchasers and renters of property within the development the existence of noise from the I-17 Freeway. The form and content of such documents shall be reviewed and approved by the City prior to recordation.

33. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

34. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.

35. In the event archeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.

36. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa

County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

37. Prior to the construction of any residences, all existing wells within the development shall be capped and abandoned, as required by the Arizona Department of Water Resources (ADWR).

38. The development shall petition the Street Transportation Department to eliminate the requirement for street light infrastructure for the development where possible in an effort to protect dark skies.

39. Primary construction access shall be from Circle Mountain Road, or the frontage road, and ancillary construction activity and access may occur on Jenny Lin Road during parts of Project III, as approved by the City of Phoenix Planning and Development Department.

40. The developer shall promptly repair any roadway damage that may occur on Jenny Lin Road during construction.

41. The developer shall include disclosure language in future leases requiring all residents of Project III to acknowledge that a portion of Jenny Lin Road is private property, and no trespass is permitted.

Phase 1 (R-3 Zoned Area)

42. The development shall be in general conformance with the site plan date stamped May 4, 2023, as modified by these stipulations and as approved by the Planning and Development Department.

43. The development shall be in general conformance with the elevations date stamped August 29, 2022, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.

    a. Spanish Colonial architectural style

    b. Windows and glass doors with muntins and mullions

    c. Decorative lighting fixtures at building entrances/exits and by garage doors

    d. Covered front porches

    e. Window and door treatment

    f. Decorative doors

g. Architectural embellishments including, but not limited to, corbels and terracotta gable vent tubes

44. Phase 1 of the development shall be limited to a maximum of 288 dwelling units.

Phase 2 (R-2 Zoned Area)

45. The development shall be in general conformance with the site plan date stamped April 13, 2023, as modified by these stipulations and as approved by the Planning and Development Department.

46. The development shall be in general conformance with the elevations date stamped August 29, 2022, with specific regard to the following elements, as modified by these stipulations and as approved by the Planning and Development Department.

a. Variety of architectural styles

b. Windows and glass doors with muntins and mullions

c. Decorative lighting fixtures at building entrances/exits and by garage doors

d. Covered front porches and covered rear patios

e. Garage, window and door treatment

f. Decorative doors

g. Architectural embellishments including, but not limited to, corbels, terracotta gable vent tubes, and window shutters

h. Gable end treatment with varied materials and colors

i. Breaking of massing and with varied materials and colors

47. Phase 2 of the development shall be limited to a maximum of 172 lots.

Phase 3 (R-3A Zoned Area)

48. Conceptual site plans and elevations for Phase 3 shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

a. All building facades shall contain architectural embellishments and detailing such as, but not limited to, textural changes, pilasters, offsets, recesses, window fenestration, shadowboxes, and canopies.

b. Building and wall colors shall be muted and blend with, rather than contrast, with the surrounding desert environment. Accent colors may be appropriate but used judiciously and with restraint.

c. An architectural theme shall convey a sense of continuity through all phases.

49. A minimum of 10% of surface parking lot areas, exclusive of perimeter landscape setbacks, shall be landscaped. The surface parking lot areas shall be landscaped with minimum 2-inch caliper large canopy drought-tolerant shade trees and shall be dispersed throughout the parking area to achieve a minimum 25% shade at maturity, as approved by the Planning and Development Department.

Approved: _____
Alan Stephenson, Deputy City Manager